SELECTED

# CIRCULAR ORDERS

ISSUED BY THE

## FINANCIAL COMMISSIONER

FOR THE

## PUNJAB,

IN THE REVENUE DEPARTMENT.

VOLUME II.

**FOR THE YEAR 1856 AND 1857.**

*LAHORE:*

PRINTED AT THE PUNJABEE PRESS, BY N. JACOB,

1859.

CENTRAL SECRETARIAT LIBRARY

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## TO CIRCULAR ORDERS

ISSUED

## BY THE FINANCIAL COMMISSIONER

*For the Punjab*

DURING THE YEARS 1856-57.


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# THE FINANCIAL COMMISSIONER

FOR THE PUNJAB,

DURING THE YEAR 1856.

## CIRCULAR NO. 1.

*Dated 15th January*, 1856.

*To all Commissioners.*

REVENUE.

(GENERAL.)

Forwards a Memo. by Captain Strachey, and conveys instructions respecting mode of keeping up Registers of Rain.

Captain Strachey, of the Engineers, having been authorized by Government to examine and collate the Registers of falls of rain kept up in the collectorate offices of the N. W. Provinces and the Punjab, that officer has supplied me with a Memorandum, pointing out the precautions which should be observed, with a view to rendering these records tolerably trustworthy, remarking, at the same time, as follows :—"Much irregularity of practice exists, in the way of recording the rain fall of a day, by which there is, at times, a great apparent discrepancy in the quantity of rain at two neighbouring places, the fall of the last night of the month being, at one time, taken into the preceding, at another into the following month's Register."

*2nd.*—I have the honor to forward herewith, printed copies of the Memorandum in question, which I request that you will have distributed to your several District Officers, with injunctions to observe the rules therein prescribed as far as may be practicable, bearing in mind and impressing on their subordinates, that as Government has directed the collation of these documents, by a scientific officer, to whom those of past periods have been transmitted for the purpose, they have acquired a degree of importance, which they have not heretofore been supposed to possess.

*3rd.*—The period of daily record laid down in this Memorandum, i. e. from 6 P. M. of one day to 6 P. M. of the following, differs, I believe, from that which has heretofore been ordinarily in use, and I request, accordingly, that this period, as urged by Captain Strachey, may invariably be employed in future at all guage stations within your Division, the readings of the two daily intervals pointed out by him being separately recorded and reported to the District Office.

*4th.*—The examination of these returns, after translation, should be entrusted to an intelligent clerk in each establishment, who should be required to bring to the notice of the District Officer, or of his Assistant specially charged with this Department, all anomalies or errors that he may discover in them, with a view to having these rectified or explained. No District Officer should put his signature to the Register, supplied from his office to his superior, without scrutinizing it, and when, on their reaching your own Office, any unexplained anomalies or apparent errors may be apparent in them, steps should be taken for having these corrected or accounted for, before transmitting your Abstract to this Office.

## MEMORANDUM.

The fall of rain is to be registered at 6 A. M. and 6 P. M. If, however, at any time, from excessive rain, there is reason to

think the guage likely to overflow, the quantity should be measured oftener, and a memo. made of it. The entries in the Register will thus show the quantity that falls from 6 P. M. of one day to 6 A. M. the next morning; and from 6 A. M. to 6 P. M. of each day.

The quantity registered on each day, viz., that at 6 A. M. and that at 6 P. M., is to be entered as the fall for that day So that the fall from 6 P. M. of the 1st June to 6 P. M. of the 2nd June, will be entered as the fall for the 2nd June.

The Registers of Rain are to be transmitted to the Sudder Station daily with the other daily reports.

The Registers, sent by Collectors to the Commissioners of Divisions, will show the separate items of fall measured at 6 A. M., and fall measured at 6 P. M., as well as the total amount.

As the whole value of these Registers depends on the accuracy of the rain guages, the following points should be attended to: —

At every Sudder Station the rain guage should be one got from the Government Mathematical Instrument Maker, and where such an Instrument has not been supplied, steps should at once be taken to procure one. These Instruments are hardly liable to get out of order, but an occasional examination should be made to see that they do not leak, and that the float, if they have one, is air tight.

The district rain guages must be made of copper, and any tin guages, that may be in use, must be immediately replaced.

Three or four spare rain guages should be made up and kept at the Sudder Station to replace any that may be damaged. The spare guages are to be compared carefully with the standard instrument and made to agree with it.

As the guages now in use have been supplied at different periods, and it is desirable to check their accuracy, as soon as 3 or 4 spare guages are compared and adjusted with the standard, they should be despatched to the out-stations, and the old guages received from those stations, being in turn compared and adjusted, or, if necessary, rejected, and new ones made in their place; they can again be distributed, and so, by degrees, every station will be provided with a guage adjusted to the Standard at the Sudder.

The Collector will specially assign to himself, or to one of his Subordinates, the duty of looking after the rain guages and Registers. If any notable discrepancy occurs in any of the Thanah or Tahsîldâri Registers, enquiry should be made into its cause without delay, and if it appear requisite, an intelligent man should be sent to see that the muharrir, who records the rain fall, properly understands how it is to be done.

Attention should be paid to keeping the guage as much open on all sides as possible, particularly to the East, from which quarter the winds usually blow during the rainy season. In a town the instrument had better be put on the top of a house, unless there is any large open space on the ground, where it might be set up.

It likewise seems necessary to impress upon the Muharrirs, that the record is to be kept up as carefully for small falls of rain as for large, and in the cold season as well as in the rains.

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## CIRCULAR NO. 2.

*Dated 17th January*, 1856.

*To all Commissioners, except Lahore.*

REVENUE. (GENERAL) Directs that when

In continuation of my vernacular proceeding of the 5th current, I have the honor to annex for your guidance, and that of the District Officers of your Division, a copy of one of this

a copy of final order is given, for appeal, a copy of the English abstract be also given with it, whenever such may have been written, and that the fact be recorded on the final order.

date; directing that when a copy of the final order is given to an applicant, with a view to appeal, it shall always be noted at foot of it, whether a copy of the English Abstract of the decision has been given or not, and that whenever such Abstract has been written, a copy of it shall invariably accompany the copy of vernacular proceeding, from whatever Revenue Court the said copy may be supplied, or the proceeding may have been originally issued.

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**CIRCULAR NO. 4.**

*Dated* 21*st January* 1856.

*To all Commissioners, except Jhelum.*

REVENUE.

(SETTLEMENT)

Petitions connected with Settlement matters, while Settlement is in progress, to be received on plain paper, except in cases of claims to proprietary rights in lands lodged in a District Court.

I have the honor to annex a copy of a letter, No. 344, dated 27th November last, and with the sanction of the Chief Commissioner, request that the Rule pointed out by Mr. Thornton, declaring petitions lodged before a Settlement Officer, while settlements are in progress, to be receivable on plain paper, with certain exceptions, may be considered equally in force throughout your Division.

2*nd*.—This Rule, however, will not extend to claims to proprietary or other rights, connected with land, which may be lodged in the Court of a District Officer, while a Settlement is not in progress. All such being receivable only upon Stamped paper of the prescribed value, in like manner with Civil Suits.

No. 344.

*From Edward Thornton, Esquire, Commissioner and Superintendent, Jhelum Division, to the Settlement Officer, Jhelum and Rawul Pindí.*

*Rawul Pindí, dated 27th November,* 1855.

In reply to your letter, No. 71, of the 1st instant, I have the honor to state, that by the Stamp Regulation (X of 1829,) all petitions may be on plain paper, which are presented to "Collectors or Officers making settlements, relating to matters "connected with the assessment of lands, the ascertainment "of rights, or to other matters affecting the Settlement of the "Government Revenue on lands, if presented pending the for-"mation of such settlements."

2*nd.*—I consider that you are therefore called upon to receive all petitions in your office, on plain paper, with exception to those presented by parties, who, since Annexation, have been entirely out of occupancy; that is, who, from the commencement of our rule, have neither received any rent, nor held any land, in the village, in which they assert a right. These parties should, as I understand the law above quoted, pay the full fee which they would have to pay were they to institute the suit in the Civil Court.

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**CIRCULAR NO. 8.**

*Dated* 13*th February* 1856.

*To all Commissioners.*

REVENUE.
(GENERAL.)

Directs that uniform for Tahsíl Chuprâsís be made up of the best brown procurable.

As the color intended by "madder brown," in my Circular No. 98, dated 19th November last, regarding a uniform for Tahsíl Barkandazes, appears to have pretty generally proved a matter of doubt, I have the honor to enclose, for distribution to your District Officers, a piece of cloth of a color as nearly approaching to it as I have been able to get dyed at this place.

*2nd.*—On my showing to the dyers of Lahore and Amritsar a piece of velvet dyed a rich dark madder brown, which was supplied to me for this purpose, by the Deputy Commissioner of Hazara, they all, including the dyers of Kashmîr stuffs, declared their inability to produce it. Hence it would be useless to attempt insisting on the use of that color, and it will suffice, that Deputy Commissioners employ the best brown which the dyers of their locality can produce, or which may be procurable on the spot.

*3rd.*—Of the color named "kak-rezi," prescribed for edging, I do not think it necessary to send a sample, as that color is generally known by the same name, I believe, throughout the Punjab. But I do not wish to insist upon any very precise adherence to this color either, and it will suffice if the uniforms be of a good serviceable brown cloth, with a darker edging of the above or any suitable color, not greatly differing.

*4th.*—Should the uniforms of any of your Districts have been already made up, according to the construction put by the Deputy Commissioner on my letter above referred to, they will not of course undergo any alteration, with reference to the purport of this letter.

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**CIRCULAR NO. 10.**

*Dated 10th March 1856.*

*To all Commissioners.*

I have the honor to annex, for your information, and for that of your District Officers, a copy of a letter No. 147, dated 22nd ultimo, from the Secretary to the Chief Commissioner, together with an Extract of the last Para. of the Census Report of the letter addressed to Government on the 14th January, and copy of the Government reply No. 758, dated 8th ultimo.

REVENUE.

(CENSUS.)

Description of mode in which the late Census was taken. Thanks of Government to officers who effected it.

*2nd.*—As the Census Report itself will shortly be printed, I have not thought it necessary to have the whole transcribed but the accompanying documents are communicated at once as conveying the acknowledgments of Government for the zeal, energy, and intelligence, which have been generally displayed in connexion with this important work.

No. 147.

*From R. Temple, Esquire, Secretary to the Chief Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated the 22nd February* 1856.

Revenue.

I am directed by the Officiating Chief Commissioner to forward to you the annexed copy of my letter to Government No. 26, dated 14th ultimo, submitting your abstract statements on the Census of the Population of the Punjab, together with copy of the Government reply thereto, expressing the satisfaction of the Most Noble the Governor General in Council, and his thanks to all who were employed on that important operation, and especially to those Officers who have been particularly named in my letter, and to request that you will be so good as to communicate the same to the Officers concerned, with the Officiating Chief Commissioner's congratulation on the handsome terms in which the Supreme Government have been pleased to acknowledge their services on this occasion.

*Extract Paras.* 5 *and* 27 *of the Census Report submitted to Government, with the Chief Commissioner's letter No.* 26, *dated* 14*th January* 1856.

Para 5.—On the night of the 31st December, the enumerators went round to the houses of their respective beats. Each man having asked his questions and made his entries, completed his circuit during the night, and by the morning of the 1st January presented the return to the supervising Officer. At the places where the servants of Government, whe-

ther police, fiscal or judicial, happened to be stationed, these Officers personally tested the entries one that very night. In many cases this was also done by the European Officers. There was scarcely a single Civil employé of the Government disengaged on that occasion. In the two capitals of Lahore and Amritsar, the Deputy Commissioners were themselves in the streets during a great portion of the night, accompanying the enumerators, or following in their wake, and cross questioning the householders. On these rounds, the Distict Officers were attended by the most respectable among the burghers. In all cases the mass of the people effectually co-operated. The heads of families were usually quite ready to return their inmates. At Amritsar in particular, the people stood waiting with a light at their doors for the arrival of the enumerators, and the streets and alleys were half illuminated. At the large stations Census papers in a tabular form were circulated among the European residents. In the Cantonments and Saddar Bazars, the enumeration was effected through the Cantonment Magistrates with the sanction of the Military authorities.

Para. 27.—I am now to conclude this report on the Punjab Census of 1855. The Chief Commissioner trusts that it may be received as proximately accurate; and he would commend to the favorable notice of the Government of India, the exertions made by the Financial Commissioner, the Commissioners of the several Divisions, and the various District Officers of the Punjab on this occasion, as being creditable to the vigour and efficiency of themselves and their Establishments. The experience now gained will be useful for the progressive avoidance of error in each succeeding census. Recently the Hon'ble the Court of Directors transmitted the best available information according to the latest returns regarding the population statistics of the Indian Empire, with a view to more complete information being rendered for many provinces, and the object in view was enjoined on the Punjab Authorities by Government letter No. 4116, of the 23rd November last. The Chief Commissioner would

hope that the wishes of the Hon'ble Court will, in some degree, be met by the efforts which have now been made at this early stage of the administration to lay the foundation of sound statistical knowledge.

No. 758.

*From G. F. Edmonstone, Esq., Secy. to the Govt. of India, to J. Lawrence, Esq., Chief Commissioner of the Punjab, dated the 8th February* 1856.

Foreign Dept.

I am directed to acknowledge the receipt of your Secretary's letter dated the 14th ultimo, No. 26, submitting a report on the census of the population of the Punjab Territories taken on the 1st January 1855, and in reply to state that this instructing and valuable document will be printed as one of the selections of the Government of India.

*2nd.*—The Officers by whom this task has been accomplished with so much zeal, indefatigability and method, are deserving of all praise. His Lordship in Council highly applauds their exertions, and directs me to communicate the high satisfaction of the Government, and its thanks to all who were employed on the Census, and especially to those Officers who have been particularly named by you in the letter under acknowledgment.

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**CIRCULAR NO. 11.**

*Dated 11th March* 1856.

*To all Commissioners.*

REVENUE.

**Directs that all suspensions of revenue authorized may be intimated to this Office, for communication to the Accountant.**

With reference to the annexed copy of a letter, No. 487, dated 5th current, from the Secretary to the Chief Commissioner, I have the honor to request you will invariably intimate, with the least possible delay, to this office, for communication to the Accountant N. W

Provinces, any suspensions authorized by you, of such nature or extent as may at all affect that officer's estimates.

No. 487.

*From R. Temple, Esquire, Secretary to the Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated 5th March* 1856.

General.

The Accountant North Western Provinces having solicited that due intimation should be given to his office whenever it becomes necessary, from calamity of season or other causes, to postpone the realization of revenue, with a specification of the reason for the postponement, as such information would supply him with valuable data to prepare his estimate of expectancies, I am directed by the Officiating Chief Commissioner to request that you will, in future, be so good as to communicate to the Accountant any sanction which you may give for the suspension of any portion of land revenue.

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**CIRCULAR NO. 12.**

*Dated 12th March* 1858.

*To all Commissioners (except Lahore.)*

REVENUE.

(JAGIRS.)

Where Government holds a share in a Jâgîr estate, prospective alterations in its assessment to affect all shares.

I have the honor to annex an extract, paras. 2 to 6, of a letter, No. 14, dated 10th January last, addressed by me to the Secretary to the Chief Commissioner, and copy of his reply No. 155 A, dated 27th ultimo, with enclosure, prescribing that where Government holds a specified share, or percentage, in a jâgîr estate, alterations prospectively made in its assessment shall equally affect both shares, and also the rever-

sionary jagîr assigned to the heirs, wherever this has clearly been fixed in a given ratio to the value of the village, as originally assessed.

*Extract paras. 2 to 6 of a letter No. $\frac{14}{23}$, dated 10th January 1855, from Financial Commissioner to the Secretary to Chief Commissioner.*

*2nd.*—The value of the village, it will be observed, was entered in this Register, at 2,000 rupees, from which a deduction of 600 rupees, or 30 per cent, was made on account of service formerly rendered by the holders, and a jâgîr of 1,400 rupees continued to them ; with a reversion of a jâgîr valued 1,000 rupees to their heirs in perpetuity.

*3rd.*—At the revised settlement, however, the assessment of the village has been fixed at Rupees 1,320 only, and the Commissioner of Lahore is of opinion that the demand from the jâgîrdârs should be reduced to the above ratio on this smaller sum, adducing as a precedent, an order of the late Board, dated 10th February 1852, in the analogous case of jâgîrs held by Pandit Radha Kishen, and quoting an order of his predecessor, directing that a proportional reduction of tribute should be made in every such case of reduction of assessment.

*4th.*—A clause in the sannad issued to all such jâgîrdârs stipulates that where an entire village is held in jâgîr, any future reduction of assessment will not be taken into consideration by Government, but that where Government has a share in any such village, the reduction is to be proportionally shared by Government and the jâgîrdâr.

*5th.*—This, therefore, must no doubt ordinarily be the rule, but in the present case, as it is very explicitly stated that a jâgîr valued 1,400 Rs. is to be continued with the jâgîrdârs, which is more than the entire value of the village ; while, if 30 per cent. is demanded from them, the balance remaining for them will fall short of the residuary jâgîr of 1000

Rs., assigned to their heirs in pepetuity. I am desirous, before replying to the Commissioner, of obtaining the instructions of the Chief Commissioner on the point.

*6th.*—It will probably fulfil the intentions of the Board in making the original proposition ; if a tribute of 30 per cent. be levied from the jâgîrdârs while living, and half the village be continued to their heirs in perpetuity after their death, and if this view be concurred in by the Chief Commissioner, it may perhaps be advisable to intimate generally, that the same principle will apply to all other analogous cases.

No. 155 A.

*From R. Temple, Esquire, Secretary to Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner, dated 27th February* 1856.

Revenue.

With reference to your letter No. 14, dated 10th ultimo, I am directed to forward for your information, the annexed copy of a letter from the Secretary to Government, Foreign Department, sanctioning your proposal that the Government demand of 30 per cent on the village of Jamreh, in the Goordaspoor district, held by Ganda and Partâb Singh, be levied on the reduced assessment, and authorizing as a rule, the levying of a rateable cess on the revised assessment in all other analogous cases.

No. 982.

*From G. F. Edmonstone, Esquire, Secretary to Government of India, to J. Lawrence, Esquire, Chief Commissioner, Punjab, dated Fort William, 15th February,* 1856.

Foreign Dept.

I have the honor to acknowledge the receipt of your Secretary's despatch dated 17th ultimo, No. 40, stating that the village of Jamreh in the Goordaspoor district, held by Ganda Singh and Partâb Singh, has been assessed at a reduced rate at the revised settlement,

and recommending that the Government demand of 30 per cent be levied on the reduced assessment during the lives of the holders, that after them half the village descend to their heirs, and that this be the rule in all other analogous cases.

In reply, I am directed to inform you that the Governor General in Council is pleased to sanction the proposal of the Financial Commissioner in this particular case; and as the rule of levying a rateable cess on the revised assessment is fair and reasonable, His Lordship in Council is pleased to authorize its extension to all analogous cases.

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**CIRCULAR NO. 14.**

*Dated 1st April* 1856.

*To all Commissioners.*

I have the honor to annex, for your information and guidance, copies of the correspondence noted in the margin,* and with reference thereto, request that you will draw the attention of District Officers to Act XLII of 1850, as that under which all land required for public purposes will in future be occupied, and inform them that where they consider it expedient to make immediate payment to the owners, on account of losses incurred by the occupation of such lands, they are at liberty to exercise their discretion in regard to advancing either a part or the whole in anticipation of sanction.

REVENUE.

(LAND COMPENSATION.)

States that Act XLII of 1850 is that under which land is to be taken up for public purposes—and that payment for compensation be made at once, at discretion of District Officers.

* 1.—My letter to the adredss of the Secretary Chief Commissioner, No. 95, dated 5th ultimo.
2 —His reply No. 217, dated 28th idem.

No. 95.

*From D. F. McLeod, Esquire, Financial Commissioner for the Punjab, to R. Temple, Esquire, Secretary to the Chief Commissioner for the Punjab, dated 5th March* 1856.

With reference to the orders of the Lieutenant Governor N. W. Provinces, circulated with order of the Sudder Board of Revenue, No. 2, dated 22nd ultimo, published in the Agra Government Gazette of the 26th idem, I have the honor to solicit the sanction of the Chief Commissioner to the issue of a general intimation to Commissioners, for the guidance of all concerned, that in future Act XLII of 1850 is to be considered as the law under which lands taken up for all authorized public purposes are to be occupied.

2*nd.*—The provisions of that law virtually correspond with the practice heretofore followed in the Punjab. But as the Act in question professes to be of a somewhat exceptional character, and in the North Western Provinces it would seem to have been heretofore regarded in that light, it may, I think, be advisable to issue an authoritative notification to the above effect.

3*rd.*—My main object, however, in drawing the attention of the Chief Commissioner to the matter, is to point out how much relief the arrangement, authorized by the annexure of the above Circular order, is calculated to afford to those who are deprived of their lands, and to state that it would, in my opinion, be highly advantageous to the Punjab if the rule were extended to it by which the Collector is authorized, after sanction for the occupation of lands has been obtained, to proceed at once to satisfy the claims resulting therefrom, the rules for calculating which have now been fixed on principles so nearly absolute, as to afford but little room for the exercise of discretion or for doubt.

*4th.*—It would still, no doubt, be proper and necessary, that the amount of compensation be reported for formal sanction, and the remissions to be made in the assessment especially must require the authorization of Government; but it appears to me that no inconvenience could result from allowing Deputy Commissioners to pay in anticipation such sums as they consider to be demandable in cash, and that this measure would materially alleviate the hardship which is more or less inseparable from the occupation of lands for public purposes.

No. 217.

*From R. Temple, Esq., Secretary to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner, dated 28th March,* 1856.

REVENUE.

I am directed to acknowledge the receipt of your letter No. 95, dated 5th instant, and in reply to convey the sanction of the Chief Commissioner to your issuing a general intimation to Commissioners for the guidance of all concerned, that in future Act XLII. of 1850 is to be considered as the law under which lands taken up for all authorized public purposes are to be occupied, and compensation to be awarded.

*Orders by the Sudder Board of Revenue North Western Provinces, dated Agra, the 22nd February* 1856.

CIRCULAR ORDER No. 2.

*To all Revenue Authorities North West Provinces.*

The Government of these Provinces has been pleased to determine that the same principles which have been recognized in the rules for adjustment of claims to compensation on account of land, or property other than land, taken up for

the Railway, or to remission or reductions of revenue or rent for lands so taken, shall be applied, in future, to all similar appropriations by Government for public purposes.

*2nd.*—Sanction of superior authority is an indispensable preliminary in such cases, and this having been obtained, the Collectors will be guided by the rules laid down in paragraphs 12 to 30 of the Notification No. 11, dated 24th October 1854, further explained by the subsequent Notification, dated 10th April 1855. A copy of paragraph 8 of Government orders No. 1930 A, of September 3rd of 1855, is also annexed for information and guidance.

## ANNEXURE.

*Extract, paragraph* 8 *of Government order No.* 1930 *A, dated 3rd September,* 1855, *Paragraph* 8.—In regard to the advantage attributed by Mr. Christian in paragraph 30 of his letter to ready money payments, and his proposal to make the system general, I am desired to remark that the observation is just and important in all cases of compensation for crops, houses, wells, trees, rights of ousted tenants, &c. It would not, indeed, affect agreements as to the reduction of jumma, which ordinarily may form the chief and most difficult part of the Collector's duty, in the adjustment of compensation. But it will certainly be right and useful to promulgate the rule that, wherever the Collector has received sanction from superior authority to take possession of lands, he should proceed at once to satisfy the claims which, under the standing orders of Government, are capable of being so compensated. The prospect of the immediate receipt of the amount agreed to will, no doubt, as observed by Mr. Christian, much facilitate an early and fair compromise with parties interested. The Board are requested to issue instructions, in order to the adoption of this view by all the Revenue Officers.

## CIRCULAR NO. 15.

*Dated 11th April*, 1856.

*To all Commissioners except Cis-Satlaj.*

The Judicial Commissioner having informed me, that he was about to circulate, for the guidance of all Judicial Courts, copies of the correspondence noted in the margin,* regarding the transfer to Civil Courts of exclusive jurisdiction in cases including claims to both Mâlguzâri land and other real and personal property, I have the honor to request that the rules therein laid down may be carefully observed in the Revenue Department.

REVENUE.

(JUDICIAL)

Relative to the transfer to Civil Courts of exclusive jurisdiction in cases of claims to Mâlguzâri land, and other real and personal property.

* Extract from letter from Commissioner Cis-Satlaj States, No. 68, dated 8th May 1856, para. 5.
2. Financial Commissioner's letter No. 866, dated 18th idem, to Judicial Commissioner.
3. Judicial Commissioner's letter to Secretary to Chief Commissioner, No. 68, dated 24th idem.
4. Secretary's reply No. 127, dated 29th idem.

*Extract para. 5 of a letter No. 68, dated 8th March 1856, from Officiating Commissioner and Superintendent Cis-Satlaj States, to Financial Commissioner for the Punjab.*

Para. 5.—My own impression is that by far the greater number of suits connected with land having been and still being decided in Revenue Courts, and all landed records being on that side, it would be for many reasons better that all suits for land should be heard in that Court, but that in questions of inheritance and other questions of pure law, affecting at the same time both landed rights and houses, personal and other property, inconvenience may arise from the separate adjudication of the same question in different Courts subject to different

* This Circular is in continuation of Circular No. 89, dated 15th October last. See also Judicial Commissioner's Circular No. 95, dated 30th idem.

appellate authorities. I would therefore recommend that all suits for land should be heard in the Revenue Courts; but that whenever questions of Hindû, Mahomedan, or other law of general application (e. g. right of inheritance, legitimacy, &c.) arise, the Revenue Courts should be permitted and directed to settle on issue and state a case for decision on the Civil side.

*No.* 866, *from D. F. McLeod, Esq., Financial Commissioner for the Punjab, to R. Montgomery Esq., Judicial Commissioner for the Punjab, dated Lahore,* 18*th March* 1856.

With reference to your letter No. 3839, dated 30th October last, and its annexures, I have the honor to annex for your consideration an extract para. 5 of a letter No. 68, dated 8th current, from the Officiating Commissioner Cis-Satlaj Division, on the subject of adjudicating suits which involve claims both to land, and to personal or real property of other kinds.

2*nd.*—The question is one which has already frequently occurred to myself, as it probably will have done to you—and as it has been thus submitted by Mr. Campbell, it seems desirable that it be at once authoritatively disposed of.

3*rd.*—There can be no doubt, that the Civil Courts are primarily those, by which such claims should be adjudicated, and the transfer to the Revenue Courts, of claims regarding land, is an exceptional arrangement, adopted for a particular purpose, which for many reasons, it would not, I think, be advisable to extend, further than may be indispensable, for effecting that purpose.

4*th.*—I would recommend, therefore, that wherever a party wishing to institute a suit claims from the party to be sued, not only lands paying Revenue or held in jâgîr, but freehold lands, houses, or personal or real property of other kinds; the claim to which is based on the same foundation, whether by right of inheritance, or otherwise; he be invariably referred, in the first

instance, to the Civil Court; in order that it shall dispose of the claim as regards all but the mâlguzârî or jâgîr lands, and that until this adjudication shall have been effected, and the matter so far disposed of not only in the Court of first instance, but in the Appellate Courts, should the case be appealed, the question of claim to the latter shall not be taken up.

5*th*.—It is probable, that after the judgment of the Civil Court shall have been definitively declared, the parties will, in many or in most cases, adjust by private agreement, their remaining disputes regarding mâlguzârî or jâgîr lands. But if not, I would further suggest that either party be declared at liberty to lodge a copy of the Civil Court's decree, with a petition on an eight anna stamp in the Revenue Court, and that unless valid reasons can be shown to the contrary, this decree be made the basis of a corresponding decree of the Revenue Court, in respect to the lands in question.

6*th*.—This arrangement would no doubt be somewhat anomalous. But I am not aware that it would in practice be productive of any material inconvenience, and I trust that the double jurisdiction in a single cause of action would not, to this extent, be objected to. But should it be otherwise, I am of opinion that it would be desirable, for the Civil Court, to have the entire jurisdiction in such cases, rather than that the Judicial cognizance of the Revenue Courts should be extended beyond their legitimate sphere.

7*th*.—Mr. Campbell, it will be observed, proposes that the case be taken up, in the first instance, by the Revenue Court, and an issue submitted by it for the adjudication of the Civil Court—but it would in my opinion be preferable, that on its appearing, at whatever stage, that the suit involved other claims than those appertaining to the Revenue Court, the latter should, as above recommended, be required to stop proceedings entirely and refer the parties to the Civil Court.

No. 68.

*From R. Montgomery Esquire, Judicial Commissioner for the Punjab, to R. Temple, Esquire, Secy. to the Chief Commissioner, dated 24th March* 1856.

JUDICIAL.
CIVIL.

Adverting to your letter No* 619, dated 26th October last, I have the honor to forward for the perusal of the Chief Commissioner, the correspondence noted in the margin.

* No. 866, dated 18th instant, from Financial Commissioner Punjab, with extract of a communication from Commissioner Cis-Satlaj States.

*2nd.*– I am myself inclined to think that it would be preferable for the Civil Court to have entire jurisdiction in questions of inheritance, affecting at the same time both landed rights and houses, personal and other property.

*3rd.*—The Financial Commissioner, in his 6th para., concurs in this view, and it appears to me that this will be the simplest and most convenient procedure.

No. 127.

*From R. Temple, Esquire, Secy. to the Chief Commissioner, to R. Montgomery Esquire, Judicial Commissioner, Punjab, dated 29th March*, 1856.

JUDICIAL.

I am directed to acknowledge the receipt of your letter No. 68, dated 24th instant, with enclosures, and in reply to inform you that the Chief Commissioner concurs with yourself and the Financial Commissioner in considering it preferable for the Civil Court to have entire jurisdiction in questions of inheritance, affecting, at the same time, both landed rights and houses,

personal and other property, and sanctions this procedure being adopted.

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## CIRCULAR NO. 17.

*Dated 25th April* 1856.

*To all Commissioners.*

REVENUE.
(PENSIONS.)

Additional instructions for preparation of yearly pension statements called for by Circular No. 78, dated 10th September 1855.

I have the honor to state that from some at least of the abstract returns of pensions for the past official year, received in compliance with the requisition conveyed in my Circular No. 78, dated 10th September last, it appears that the object of that requisition has not, in all cases, been clearly understood.

*2nd.*—Its object was to ascertain the state of the Pension Roll at the commencement, and the close, respectively, of the official year; that is, the amount of pensions payable for the year, not those actually paid during it. Some officers, however, have understood the latter to be intended, and as the form contained no column to exhibit arrears, it has been found impossible, in some cases, to reconcile these returns, or to determine with certainty what they are intended to represent.

*3rd.*—To obviate this inconvenience, I request that for the year now about to close, the following four columns may be substituted for column 8 of the form prescribed by the above Circular :—

| 7 | 8 | 9 | 10 |
|---|---|---|---|
| Payments made during the year on account of pensions of previous year. | Amount of pensions payable for the year which remained unpaid at its close. | Total amount actually paid during the year, on account of pensions, whether of past or present year. | REMARKS. |
| | | | |

and the only explanatory remark, which it appears to me necessary to make in regard to these, is that the entry in column 10 should be formed, by adding the entry of column 8 to that of column 7, and substracting from their sum the entry of column 9.

*4th.*—As the Finance Returns of the current year have been called for with unprecedented urgency, and must be submitted at once, while the preparation of the abstract form now called for may perhaps involve some delay, it will suffice, as far as regards the Financial Returns, that they be accompanied by a copy of the memorandum prescribed by the Accountant in his Circular No. 339, dated 22nd February last ; which shows the actual disbursements, and the return now called for can be subsequently submitted when ready, though no needless delay should be allowed in its submission, and I am not aware that any delay is necessarily involved in its preparation.

*Memo.—In order to ensure correctness, the entire revised form is annexed, as subsequently prescribed by Circular No.* 56, *dated* 15*th October* 1856.

*ABSTRACT shewing the State of Pension Roll appertaining to the District* _____ *for the year* 185

| 1 | 2 | 3 | | 4 | | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|---|---|
| DISTRICT. | Yearly amount of pension payable from the Treasury as they stood at the beginning of the year. | Amount of pensions newly added or transferred from other Treasuries. | Amount for one entire year. | Amount of pensions lapsed, discontinued, or transferred from this to other Treasuries. | Amount which has lapsed discontinued or been transferred. | Yearly amount of pension payable from the Treasury as they stood at the close of the official year. | Entire amount of pension payable for the whole official year of 185 . | Payment made during the year on account of pensions of previous years. | Amount of pensions payable for the year which remained unpaid at its close. | Total amount actually paid during the year on account of pension, whether of past or present year. | REMARKS. |
| | | Amount demandable from the Treasury during the year 185 . | | | | | | | | | |

## CIRCULAR No. 20.

*Dated 13th May 1856.*

*To all Commissioners.*

REVENUE

(TENTS.)

Directs that tents be in no instance purchased without sanction of competent authority being previously obtained, and that tents be as a rule, procured from the Lahore Central Jail.

Adverting to the instances in which the rules regarding the purchase of Tents have been virtually disregarded under the supposed emergency of arrangements connected with the formation of Offices in the Settlement Department, I have the honor to request that you will impress upon all officers subordinate to you, that in no instance should Tents be purchased without the sanction of competent authority previously obtained.

2*nd*.—It is further the desire of the Chief Commissioner that Tents required for public purposes be, as a rule, prepared at the Central Jail at Lahore, except of course in special cases, when, on sufficient grounds, the rule may be relaxed by superior authority.

3*rd*.—An extract from the letter of the Secretary to the Chief Commissioner on this subject was circulated under my docket No. 81, dated 20th September. But as, from references which I have recently had to make to the Chief Commissioner regarding tents, he has been led to believe, that diversity of practice still prevails, he has again addressed me to the foregoing effect, and I request that the rules prescribed by him may be strictly observed in future.

## CIRCULAR NO. 21.

*Dated 23rd May* 1856.

*To all Commissioners, (except Peshawur.)*

REVENUE.
(BUILDINGS.)
No public buildings to be commenced on, without previous explicit sanction being obtained thereto.

I have the honor to annex, for your information and guidance, and that of all your District Officers, an extract para. 2 of a letter, No. 856, dated 15th current, from the Secretary to the Chief Commissioner, enjoining, with reference to transgressions of the prescribed rule, which have recently occurred, that no public buildings be commenced without explicit sanction previously obtained, even though a general acknowledgment of their desirableness may have been elicited from superior authority.

*Extract para.* 2 *of a letter from the Secretary to the Chief Commissioner, No.* 856, *dated* 15*th May* 1856, *to the Financial Commissioner.*

"I am however to point out that these buildings ought not to have been commenced, without special report and sanction. Every officer ought to be aware, that as a rule, the sanction of competent authority is essentially necessary, previous to the commencement of any public works. The proposals of the Chief Commissioner, as contained in paras. 29 and 60 of his minute, dated 31st December 1851, alluded to in your 3rd para., did not dispense with the necessity of regular and formal sanction being obtained to the erection of these buildings, in as much as they conveyed no authority for particular works, but simply pointed out what buildings would be required."

## CIRCULAR NO. 22

*Dated 23rd May* 1856.

*To all Commissioners.*

REVENUE.

(INAMS.)

Certain information to be afforded in proposing Inams to Chaudhris and others.

I have the honor to forward, for communication to all officers entrusted with the preparation of reports recommending the grant of "Inâms" to Chaudhris and others —and for record, where none such may be at present under preparation —a copy of a letter No. 391, dated 19th current, from the Secretary to the Chief Commissioner— pointing out certain items of information which should be supplied, as far as possible, with all such reports.

No. 39.

*From R. Temple, Esq., Secy. to the Chief Commissioner, to to D. F. McLeod, Esq., Financial Commissioner, dated 19th May*, 1856.

Revenue.

I am directed by the Chief Commissioner to request, that in reporting "Inâms" in favor of Chaudris and Lambardârs, if the "Inâm" be in land, you will be good enough to cause the value of it per annum in cash to be always noted; and that, whether it be in cash, or in land, the value assessment of the village should be shewn. Further, the Chief Commissioner considers that it would be convenient, that the past and proposed revenue of the village should be stated also; for where a reduction has been granted, this, it is obvious, will afford just ground for reducing the amount of the "Inâm" also.

*2nd.*—You are requested to issue instructions to the foregoing effect to Commissioners, for communication to the

Officers who have the preparation of "Inâm" cases for report, as the information required is essential to enable the Chief Commissioner to decide fairly, what allowance should be maintained in each case.

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## CIRCULAR NO. 24.

*Dated 11th June* 1856.

*To all Commissioners, except Cis-Satlaj States.*

REVENUE.

(GENERAL.)

Defines the position of Tahsîldârs and Superintendents of Settlement, especially with reference to their promotion to the grade of Extra Assistant.

In continuation of my Circular letter No. 57, dated 21st June 1855, I have the honor to state that in future the fact of having effectively filled the office of Superintendent of Settlements, which by that Circular was declared to be a necessary qualification for the post of Extra Assistant, is to be considered likewise as affording a preferential claim to that of Tahsîldâr.

*2nd.*—The Officiating Commissioner of the Cis-Satlaj States having been called on to surrender two of the Tahsîldârs of his Division, represented, that the rule above referred to, which declares no one to be eligible for the office of Extra Assistant, who has not previously held that of Superintendent, acts at present injuriously—as it leads to the withdrawal to Settlement work of our best Tahsîldârs, who cannot otherwise look for promotion; whilê it leads to the conclusion that the post of Tahsîldâr is esteemed of less importance, than that of Superintendent, which, with reference to the extent, variety, and responsible character of the duties entrusted to the former, is not in reality the case.

*3rd.*—This view of the matter, having been referred by me to the Chief Commissioner, has been acceded to by him, so far

as to admit the superior importance of the office of Tahsîldâr—and, accordingly, in a letter No. 853, dated 8th ultimo ; while he declines to abrogate the rule, that candidates for the office of Extra Assistant must have previously passed through that of Superintendent with approbation, to render them eligible, he directs that this latter office shall in future be regarded primarily as a qualification for that of Tahsîldâr; and that the tenor of his previous letter No. 460, dated 1st June 1855, be considered as revised to this extent.

*4th.*—With a view to carrying out this principle in practice, henceforth ; while Tahsîldârs, ambitious of promotion and deemed deserving of it, will not be debarred from the post of Superintendent, those persons who have not yet held the post of Tahsîldâr, but have nevertheless qualified themselves for the exercise of Judicial powers and transaction of Settlement business, will be held to be freely eligible to fill the office of Superintendent; equally with those who have held that post—and the salary of such, while fulfilling the duties of a Superintendent, will ordinarily be fixed at from 100 to 150 Rupees.

*5th.*—When appointed to the post of Superintendent ; should the incumbent afford satisfaction in that capacity, for a period of two years ; and obtain from his superiors, a certificate to that effect ; he will be considered as having a preferential claim to the office of Tahsîldâr, when such post may become vacant, over those who have no such qualification. Ordinarily, it will not be considered, that a Superintendent has earned for himself this privilege ; until he shall have served as such, for two years—but in exceptional cases ; it may, with the sanction of the Financial Commissioner, on the recommendation of the Settlement Officer and Commissioner, be accorded after a shorter period.

*6th.*—These instructions will necessarily have the effect of tending to give a great advantage to those men who have pass-

ed through the lower grades of the Settlement Department ; as these will usually have most perfectly acquired the aptitude and the knowledge, required for the efficient performance of a Superintendent's duties. But there is no sufficient reason, why the office should be monopolized by such —and I shall accordingly be glad to receive, and record in this office, applications on behalf of such persons ; in whatever Department they may have been heretofore employed, as District Officers, Settlement Officers, and Commissioners may be of opinion, are qualified for the office of Sperintendent.

*7th.*—The operation of these rules, in so far as they will affect nominations to the post of Tahsîldâr ; must, necessarily, be in a great measure prospective—but when once candidates thus qualified, shall have become available ; they will be rigidly carried out ; and their operation will then probably be, to a considerable extent, permanent—for by the time, that all the settlements of the Punjâb shall have been completed ; it may be expected, that the period of those first effected, will be about expiring ; so that the training of our most promising young men, in the office of Superintendent, is likely to be continuous, for many years to come.

*8th.*—At all events, it is necessary that so far as regards the office of Superintendent itself, they be at once acted upon—and I request, accordingly, that you will adopt measures, for having it made known as extensively as possible within your Division, to those employed in settlement, as well as in District duties ; that applications will be received in this office, on behalf of candidates for the office of Superintendent, on salaries varying from 100 to 150 Rs. per mensem, provided they be supported by the recommendation of the immediate superior of the candidate, and of the Commissioner ; and further, that hereafter, when the office of Tahsîldâr shall any where fall vacant, the fact of the candidate having efficiently fulfilled the duties of Superintendent, for a period of 2 years or upwards, shall be

held to give him a preferential claim, over those not having this qualification.

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**CIRCULAR NO. 29**

*Dated 28th June* 1856.

*To all Commissioners.*

I have the honor to request that you will enjoin on all your District (and Settlement) Officers to be particular in reporting direct to this Office, the dates on which Officers newly appointed to their respective Districts, (and Settlements) or transferred from other Departments, may enter on the duties of their new Office, or be brought on the strength of their Establishments.

REVENUE.

(GENERAL.)

Directs that a report be made to this office, when an officer joins a new appointment.

*2nd.*—The necessity for this has been suggested, by a reference from the Accountant, through the Chief Commissioner, on a recent case, in which these data were wanting—and it is moreover right, that I should be in possession of this information, when passing bills for travelling allowance.

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**CIRCULAR NO. 30.**

*Dated 4th July* 1856.

*To all Commissioners (except Peshawur.)*

Conformably with the wishes of Government, conveyed in the annexed extract of a letter No. 2747, dated 13th ultimo, from their Secretary in the Public Works Department to the Chief Commissioner; I have the honor to request, that on all future occasions of

REVENUE.

(BUILDINGS.)

Requests that every bill for the construction of a public building be

accompanied by a report on the quality of the work done.

submitting bills for expenditure, incurred by your District Officers, in the construction of Public Buildings; such bills be accompanied, when practicable, by a report from yourself on the quality of the work executed.

*EXTRACT para. 2 from a letter No. 2747, dated 13th ultimo, from the Secretary to the Government of India, Public Works Department, to the Chief Commissioner for the Punjab.*

*2nd.*—"I am to state that it would be desirable in such cases as the present, that Bills of this nature, submitted for the sanction of Government, should be accompanied by a report from the superior Civil authority on the quality of the work executed."

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## CIRCULAR NO. 38.

*Dated 7th July* 1856.

*To all Commissioners.*

I have the honour to annex for your information and guidance, and that of your District and Settlement Officers, copies of the documents noted in the margin, laying down the rules to be followed in future, in assessing lands taken up by Europeans for their private residences, and authorizing the payment by the latter, when desired by them as a special case, of a sum in commutation, by way of purchase or redemption of the land tax, a corresponding reduction being made in the assessment of the village to which the land appertains.

REVENUE.

(ASSESSMENT.)

Rules for assessing land taken up by Europeans for their private residences.

1. My letter to the Offg. Commr. and Supdt. Lahore Division, No. 1831, of 28th May, 1856.
2. Letter to my address from the Secy. to the Chief Commr., No. 495, dated 20th ultimo.

No. 1831.

*From D F. McLeod, Esq., Financial Commissioner for the Punjab, to Major Clarke, Offg. Commr. and Supdt. Lahore Division, dated 28th May* 1856.

I have the honour to acknowledge the receipt of your letter No. 198, dated 22nd current, with enclosure from the Settlement Officer of Syâlkôt, applying for instructions in regard to the assessment of lands occupied by the private residences and grounds of Europeans and others.

*2nd.*—The only just principle, in my opinion, to be observed by the Officers of Government, in assessing such lands, is to fix such amount upon the whole, as it might have been expected that it would yield, if it had not been so occupied. For this purpose, the rates paid by similar land adjoining should be adopted as the basis of calculation—but there will still be much room left for the exercise of discretion, and this it would not, I think, be advisable to control by laying down any rigid rule to be invariably acted upon.

*3rd.*—Thus in a vicinity, where it may be considered certain, that the whole would have been fully cultivated—the whole might be fairly assessed at the full rates. Where wells are in general use, and easily made, an addition to the assessment might appropriately be made to allow for a just or moderate proportion of irrigated land, whether that proportion be actually irrigated or not. In localities, on the other hand, where wells are rare, and made only at a great expence, it would, in most cases, be right to assess the whole, or greater part of the area, only at unirrigated rates, even though one or more wells should have been sunk by the house owner.

*4th.*—In short, the object to be kept in view should be, that the Government Revenue be not materially affected by the mode in which the land has been occupied, for although the

principle of taxing capital, and of varying assessments, according as the circumstances of the land may become altered, either by the application of labour, or capital, or from other causes, is necessarily admitted to a considerable extent into our Revenue system, yet I see no sufficient reason why it should be acted upon in respect of land occupied with a view to residence or enjoyment only, not to the earning of a livelihood by its cultivation, or at least, only to such extent, as at succeeding revisions of settlement, its value may become enhanced or diminished by the increase or diminution of the demand for land in its vicinity.

5*th*.—Where the land thus occupied belongs to the whole or one or more members, of a village proprietary, the primary concern of the Settlement Officer will of course be with such proprietors. In cases heretofore referred, where, owing to public officers experiencing great difficulty in procuring land at all, on which to build, very strong representations have been urged as to the absolute necessity for authoritative intervention; the Chief Commissioner has strictly prohibited all interference, and laid it down as a rule to be invariably observed, that even public Officers, when providing themselves with private residences, must make their own terms with the owners of the land which they may wish to occupy.

6*th*.—In such cases then, the Government demand will be made from the proprietor alone, and I am clearly of opinion that the period for which the assessment should be fixed, ought to be that of the Settlement generally, the Jama being liable to revision, at the next revision of settlement. This, however, need in no way prevent the occupier from entering into engagements for a longer period; or even for perpetuity with the owner. Though in the very improbable event of the public Revenue being jeopardized, Government would not allow any such terms to hold good, quoad itself, as would

interfere with the lien, which it is admitted to have upon all land liable to assessment.

*7th.*—Where the land occupied is not the property of individuals, but of Government, the case is somewhat altered. The same principle, as regards assessment, should, in my opinion, be observed in these cases likewise. But the Government engagement would be made with the occupant direct, and as the case would thus be exceptional, I should make no objection to the period of lease being extended. If desired, indeed, a commutation in cash, by way of purchase, would perhaps, in such cases, be agreed to, and indeed, has already been so agreed to, in some instances—but every such case may most conveniently be considered and disposed of on its own merits.

No. 495.

*From R. Temple, Esq., Secy. to the Chief Commissioner for the Punjab, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated Lahore, 20th June,* 1856.

REVENUE.

I am directed to acknowledge your letter No. 221 of the 28th ultimo, and its enclosures, regarding the demand of Government for rent on land occupied as private residences, and in reply to acquaint you, that the Chief Commissioner concurs generally in your remarks, as communicated in your letter No. 1831 of the 28th May, to the Officiating Commissioner of the Lahore Division.

2. The Chief Commissioner is, however, of opinion, that the European owners of such property might be advantageously permitted, as special cases, to redeem or compound for the land-tax incident on the tenure, by paying down a given sum, which may be fixed according to the standard laid down in para. 334, Section VII, page 304, Directions to Collectors, in reference to Nazûl lands,—and that in cases where such tax should form

part of the village assessment, a simultaneous reduction might be made in the village Jama in favour of the proprietors.

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**CIRCULAR NO. 34.**

*Dated 9th July* 1856.

*To all Commissioners.*

REVENUE.
(GENERAL.)

That District Officers arrange to have their own treasure chests constructed, and that, as a rule, they indent for nothing from Magazines that they can have made up themselves, or purchase, at a fair cost.

Under instructions received from the Chief Commissioner conveyed in his Secretary's letter No. 541, of the 4th current, having reference to an indent of the Deputy Commissioner of Leiah, I have the honor to request that in future District Officers be instructed to arrange for constructing their own Treasure Chests when required—and that as a rule nothing be indented for from Gove-nment Magazines, which can be purchased or made up at a fair cost, the charge made in those establishments "usually very much exceeding," as remarked by the Chief Commissioner, that which would otherwise be entailed.

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**CIRCULAR NO. 35.**

*Dated 17th July* 1856,

*To all Commissioners.*

REVENUE.
(MUSEUMS.)

Correspondence regarding museum formed at Amritsar.

* 1 —No. 245, dated 3rd July 1856, from Deputy Commissioner Amritsar, to Commissioner Lahore.

I have the honor to forward herewith, for record in your own Office, and in those of the Districts of your Division,—printed copies of the correspondence as per margin,* connected with a Museum which has been established at Amritsar by the Deputy Commissioner, Mr. Cooper.

2.—No. 271, dated 7th July, from Commissioner Lahore Division, to Financial Commissioner.
3.—Financial Commissioner's reply No. 2438, dated 10th idem.

*2nd.*—I circulate these documents, with reference to my Circular letter No. 15, dated 14th February 1855; and correspondence which has since passed on the subject, both because it may be hoped that the success attained thus far by Mr. Cooper, may stimulate those who take an interest in the matter, to increased exertions—and because I should wish to point out the rising Museum of Amritsar, as an Institution well deserving of contributions, in specimens or otherwise, from all who may be disposed to aid it.

## No. 271 OF 1856.

*From Major John Clarke, Officiating Commissioner and Superintendent Lahore Division, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated 7th July* 1856.

REVENUE.

The accompanying copy of letter No. 245, dated 3rd instant, from Mr. Cooper, officiating Deputy Commissioner of Amritsar, (sent in continuation of Mr. Raikes No. 78, dated 29th February last) will, I doubt not, give you satisfaction.

*2nd.*—I in April visited the Museum he has established, and was much struck with the highly interesting progress made in a collection of natural and manufactured products of the Punjab. There was also a very considerable collection of specimens in Natural History. A catalogue only, in the absence of inspection, could convey any idea of the collection.

*3rd.*—I myself think that such a Museum affords an excellent foundation on which to base a school or class of arts and manufactures.

No. 245 OF 1856.

*From F. H. Cooper, Esquire, Officiating Deputy Commissioner, Amritsar, to Major John Clarke, Officiating Commissioner and Superintendent Lahore Division, dated 3rd July* 1856.

GENERAL.

I have the honor to report upon the efforts made in this District to carry out the wishes of the Financial Commissioner in respect to a Museum.

2*nd.*—An old deserted gateway near to the Râm Bâgh presented an excellent receptacle. It required fitting up with galleries, doors, windows, and porches. This was done at a cost of Rs. 1800.

3*rd.*—During the time it had been undergoing the above alteration, meetings of the principal commercial notabilities had been called, and their sentiments ascertained. Each and all volunteered to assist in collection; some with paid contributions, and some with presents.

4*th.*—A valuable and interesting collection of models, manufactures, of vegetable, animal, mineral products, of curiosities of every description, has been made.

5*th.*—Presents of splendid horns have been made by English and Native gentlemen. Through the public spirit of some gentlemen in the station, who have presented books, the nucleus of a valuable library has been formed of some 300 volumes.

6*th.*—All the more curious specimens of old arms in the store room have been burnished and deposited.

7*th.*—Mr. G. E. Wakefield undertook the preparation and classification of the valuable vegetable and mineral department, assisted by the Native Doctor Abdool Wahab, a highly intelli-

gent person. Through their exertions a numerous and interesting collection of materia medica has been formed.

8*th*.—Mr. Blyth exerted himself in securing all the manufactured products, and in procuring models of the mode of carriage besides tools, machines, and implements peculiar to this district.

9*th*.—So much are Government and the public indebted to the liberality of private individuals, that the actual cost of the collection, including the necessary glass almirahs, tables, brackets, chairs, &c., has only amounted to 1,600 Company's Rupees.

10*th*.—Elaborate classification is of course a work of time; meanwhile broad divisions have been effected. The geological, the animal, the vegetable, the arts, and the industrial departments are all separate. The indigenous products of each Parganah of this district are also discriminated.

11*th*.—With such advantages as Amritsar possesses for the formation of a Museum, it would have been absurd to have limited it to a mere *repository* of local products. The mind cannot fail to be struck with the vast variety of mineral and vegetable products unknown to our Pharmacopeia, used medicinally by the natives, and one object will have been gained if any light can be thrown upon the professional practice of the native Hukeem, which is as extensive as it is successful.

12*th*.—I am in negotiation with the Assistant to M. Marcadieu, Geological Surveyor, for complete specimens of the ores of Kangra. He has already favored me with some interesting articles, and has promised me a series at an early date.

13*th*.—Oriental literature will be represented also. Persons have been invited to contribute every description of manuscript

work they may feel inclined to part with, or in the event of their not wishing to part with them, copies will be made. Every article has been labelled and described in Vernacular and English, but it remains to finish regular catalogues.

14*th*.—The services of the late Darogah of the Museum, Alum Shah, have been transferred to the Educational department, and his successor is not so accomplished, and is new to the duties.

15*th*.—The cost of the Establishment is as per margin,* which is borne by the Municipal Funds.

| | Rs |
|---|---|
| * Darogha, .. | 20 |
| Sweeper, .... | 5 |
| Total,.. | 25 |

16*th*.—I am aware I have done but little of the justice due to this interesting subject, and only write the above remarks in order to place on record the progress hitherto made in carrying out the enlightened designs of Government. Hereafter (and soon I hope) it will have been sufficiently matured to prove a valuable adjunct to the cause of education in the hands of the Church Missionaries, in affording material for studies and lectures.

No. 2438.

*From D. F. McLeod, Esquire, Financial Commissioner for the Punjab, to Officiating Commissioner and Superintendent Lahore Division, dated* 10*th July* 1856.

I have the honor to acknowledge the receipt of your letter No. 271, dated 7th current, enclosing one from the Deputy Commissioner of Amritsar, in which he gives some account of the progress made under his direction in the establishment of a Museum at that place, in compliance with the invitation and suggestion contained in my Circular No. 15, dated 14th July 1855.

2*nd*.—Although I regret that I have been unable as yet myself to inspect this most promising institution, I have heard much of it from those who have done so, all of whom have been much struck, as you have been yourself, by the great advance which has been made, the highly interesting and instructive character, as well as great variety of the specimens already collected together, and the spirit of energy, as well as enquiry, which is apparent in all connected with it.

3*rd*.—Mr. Cooper is entitled to my warmest acknowledgments, and to those of Government for the zeal, as well as tact and judgment, which he has evinced in this matter; and although it is not to be expected that the same results can be attained in other localities less favoured, and in which the local authorities do not take so lively and active an interest in the undertaking as he has done, yet I purpose having the present correspondence printed and circulated, with a view to encourage and stimulate others to follow, more or less, the example which he has set, as well as in the hope of procuring contributions to his Museum.

4*th*.—Until some one shall have been appointed to the charge of the Central Museum at Lahore, who not only shall have had considerable training as a naturalist, but shall be able to devote a large portion of his time, to carrying on the correspondence which must result from the earnest prosecution of a general scheme of Museums, whether Economic or of Natural History, such as has been heretofore contemplated, I fear that full justice cannot be done to exertions such as Mr. Cooper's.

5*th*.—I am in hopes, however, that in connection with the college, about to be established at Lahore, this deficiency will ere long be supplied, and in the mean time, there can be no doubt, that these exertions must prove of the greatest local value, and lay the foundation of what must, if persevered with, furnish, hereafter, in various ways, the means of carrying out extensive schemes of usefulness.

**CIRCULAR NO. 36.**

*Dated 19th July 1856.*

*To all Commissioners.*

REVENUE.
(SALT DEPT.)
Sambhar Salt that has paid the Government duty, to be admitted into the Punjab.

I have the honor to annex, for circulation in the Districts of your Division, and general information of the people, copy of a proclamation with counterpart in the vernacular, announcing the admission into the Punjab of Sambhar Salt which has paid duty in the N. W. Provinces.

## PROCLAMATION.

Whereas by Section 21 of the Rules in force in the Punjab, for the realization and protection of the revenue derived from the Salt mines of the Sindh Sâgar Doâb and at Kâlabâgh, it is ordered that throughout the whole extent of country which is included between the Indus to the west, and the Bîâs and Ghâra to the east and south, the manufacture of alimentary Salt is prohibited, as is also the possession of this description of Salt, or of any Rock Salt, excepting that obtained from the mines of the Sindh Sâgar Doâb and Kâlabâgh; and whereas it has now been deemed expedient to allow the importation into the Punjab of Sambhar Salt, notice is hereby given that with the approval and sanction of the Right Hon'ble the Governor General of India in Council, all restrictions on the free importation into the Punjab of Sambhar Salt, for which the Government duty has been paid on the Customs Line of the North Western Provinces, are withdrawn.

## CIRCULAR NO. 38.

*Dated 2nd August*, 1856.

*To all Commissioners.*

REVENUE.
(PENSIONS.)

Instructions for submitting applications for pension to heirs of coolies or workmen employed on public works, who may be killed or injured while engaged in their duties.

As applications are occasionally made through this office for pensions or gratuities to the heirs of workmen or coolies, killed or injured in the execution of their public duties, I have the honor to request, that the attention of all your District Officers may be drawn to the Notification of the Government of India on this subject, dated 4th July 1856, and published in the *Agra Gazette* of the 29th idem, and that they be directed to observe the rules therein prescribed, on all occasions of having to submit such applications.

### NOTIFICATION.

*Agra, Financial Department*, 19*th July* 1856.

No. 2249.

The following Notification, issued by the Government of India in the Financial Department, under date the 4th instant, No. 28, is re-published for general information :—

No. 28.

*Fort William, Financial Department*, 4*th July* 1856.

*Notification.*—The Right Honorable the Governor General in Council is pleased to issue the following Rules for the protection of Government in cases of application for gratuities to

the families of Lascars, Coolies, and other workmen in the service of Government, who may happen to be killed, or to die, in consequence of wounds or accidents sustained in the execution of their public duties :—

RULES.

1*st.*—No applications for a gratuity shall be received from the family of a deceased workman, unless he died within six months from the date on which the wound or the accident, which is supposed to have caused his death, was received.

2*nd*—Applications shall be confined to cases in which the deceased may have left a widow, son, daughter, father or mother, dependent upon him for support.

3*rd.*—All claims shall be subjected to a regular enquiry by the officer at the head of the Department, in which the deceased was employed.

4*th*—The claimants shall appear personally before the said officer, and witnesses (unconnected with the claimants if possible) shall invariably be examined in attestation of the validity of the claim. When the evidence of relatives or connections is taken, a note to that effect shall be entered upon the proceedings, and in all cases the witnesses shall be warned to confine their evidence to circumstances within their own knowledge, and be made to understand that they will be liable to trial and punishment in the event of their evidence proving to be false.

5*th.*—The proceedings shall be drawn up in the form annexed, and shall contain a concise but full record of the evidence by which every claim is supported ; the designation and duties of the deceased ; the nature of the accident or injury which caused his death; and the precise degree of relationship and condition of the person or persons claiming the bounty of Government in consequence.

6*th*.—In cases where two or more survivors within the degrees of relationship specified in Clause 2 may be entitled to a gratuity under these Rules, the claims of each shall be fully investigated, and the preference accorded in the following order :—

1.—Son (legitimate.)

2.—Widow.

3.—Daughter (legitimate.)

4.—Father.

5.—Mother.

7*th*.—The gratuity admissible under these Rules shall, in no case, exceed the maximum limit of six months' pay of the deceased, nor be invariably assigned at that amount, but be regulated according to the duties of the deceased, the circumstances attending his death, and the condition and prospect of his surviving relative or relatives.

8*th*.—The above Rules, although specially intended to provide for the adjudication of claims to gratuities on the part of the families of men killed in the execution of their duties, who are not entitled to pensions under the rules and practice of this Presidency, shall also be held applicable in the investigation of claims to pension on the part of the families of persons employed in the Gun Powder Manufactory, the Khedda Establishments, and others engaged in duties involving unusual hazard, and of claims to pension preferred under Clause 6 of the Uncovenanted Pension Rules of January 1831.

9*th*.—The Government by no means binds itself to issue gratuities in all cases, nor in cases of pension to grant them for life.

FORM

*Proceedings of* *to investigate a claim to Gratuity or Pension on the part of*

| Description of Claimant | | | | | | | | Description of Deceased | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Name. | Age. Years | Age. Months | Height Feet. | Height Inches. | Religion, Caste, or Tribe | Personal appearance and particular marks | Present occupation and prospect, and whether in receipt of Pay or Pension from the Government. | Degree of relationship to deceased | Name. | Occupation and period of service | Nature of the injury which caused death | Name and description of witnesses in support of the claim | Amount of Gratuity proposed. | Record of Evidence and Remarks. |
| | | | | | | | | | | | | | | |

## CIRCULAR NO. 41.

*Dated 11th August* 1856.

*To all Commissioners.*

I have the honor to annex, for distribution to your District and Settlement Officers, printed copies of the correspondence noted in the margin,* from which you will observe, that the Chief Commissioner directs the right of pre-emption to be extended, in future, to all cases of usufructuary mortgage, in which it would be claimable, if the property were to be offered for sale.

REVENUE.

(PRE-EMPTION)

Right of pre-emption extended to all cases of usufructuary mortgage in which it would be claimable if the property were offered for sale.

* 1.—From Commr. C. S. States, No. 88 of 26th March 1856.
2.—To Secy Chief Commr., No. 149, dated 11th April 1856.
3.—From Secy. Chief Commr., No. 669, dated 6th Aug. 1856.

No. 88.

*From G. Campbell Esquire, Officiating Commissioner and Superintendent Cis Satlaj States, to D. F. McLeod, Esquire, Financial Commissioner, dated 26th March* 1856.

With reference to the rule quoted in the margin,* by which the right of pre-emption is restricted to sale of land and is declared inapplicable to mortgages, I have the honor to submit the misl of the case as noted in the margin,† in which this rule is most palpably taken advantage of to defeat the right of pre-emption, and I beg to suggest the necessity for an amendation of the rule.

* Circular of late Board, No. 28, dated 3rd May 1852, Clause 7.

† Masaina and others, transfer of their rights in Mouza Nath to Rampershad Mahajun for Rupees 400.

Masaina and others, sharers in Mouza Nath, proposed to sell their rights to Bunsee Dhur and Runga Lall, Bunneeahs,

for Rupees 360-0-0. Mahtaba and other sharers in the village claimed the right of pre-emption, and deposited the full amount of the sale money. Upon this the sellers withdrew from the sale, and mortgaged their rights to Rampershâd Bunneeah for Rupees 400, and claim to complete the transfer to the defeat of the pre-emptors.

The Deputy Commissioner thinks that this should not be permitted, and I concur with him.

I think that when a man has proposed to sell for a fixed price, and the persons having the right of pre-emption claim the purchase, he should not be allowed to withdraw, and more particularly I would suggest that to mortgages in which possession changes hands, i. e. usufructuary mortgages, the rules of pre-emption should be applied, leaving the exception stated by clause 7 of the Circular applicable only to cases in which the land is pledged in security without transfer of possession.

No. 149.

*From D. F. McLeod, Esquire, Financial Commissioner, to R. Temple, Esquire, Secretary to Chief Commissioner, dated 11th April* 1856.

I have the honor to forward for submission to the Chief Commissioner a copy of a letter No. 88, dated 26th ultimo, from the Officiating Commissioner C. S. States, recommending that the rules laid down by the late Board of Administration, in their Circular No. 28, dated 3rd May 1852, in respect to the right of pre-emption, as regards lands offered for sale, be held to apply likewise to the case of lands offered in usufructuary mortgage (bhog bandhak) i. e. that no stranger shall be allowed thus to enter upon the actual management of the land and enjoyment of its proceeds, so long as any member of the community to which it appertains, is willing to take it over on mortgage, or purchase on fair terms.

*2nd.*—The reference, it will be observed, has arisen out of a case, in which a party, having first offered his land for sale to a capitalist, withdrew the offer on finding that a member of his community was willing to take it on the same terms, and afterwards made it over to the same capitalist, on usufructuary mortgage. Mr. Campbell proposes that such withdrawal, with a view virtually to neutralize the right of pre-emption, be at all events disallowed. But as this question merges into the more general one, I do not here more explicitly refer to it, and do not consider it necessary to forward the vernacular proceedings submitted by the Commissioner.

*3rd.*—When, as Commissioner of the Trans-Sutlej Division, I submitted the general question of the right of pre-emption, for the orders of the late Board, I recommended that mortgages should be included amongst the description of transfer, in which the preferential right of co-sharers to take up the engagements should be conceded—and this view was supported by Mr. Edmonstone, and some others of those, then holding the office of Commissioner—yet, the Board in their Circular above referred to remarked, that "temporary transfers of this nature should remain unfettered by any legal restrictions."

*4th.*—It is therefore with some hesitation that I again bring the matter forward, but as the expression used in the above Circular is "simple mortgages," the use of this restrictive term appears to afford some ground for assuming, that a distinction will be admitted in respect to those mortgages, in which the transfers are of a more complete character—to the extent, at all events, of limiting the period, during which they may be allowed to have effect, and as I concur with Mr. Campbell, I think it right to submit his proposition for such orders as the Chief Commissioner may deem proper.

No. 669.

*From R. Temple, Esquire, Secretary to the Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner, dated 6th August* 1856.

REVENUE.

I am directed, in reply to your letter No. 149, of the 11th April last, regarding the application of the rules of pre-emption to usufructuary mortgages, to state that the Chief Commissioner was himself inclined to take the same view as yourself upon the subject, but before issuing orders, he deemed it best to consult the Commissioners of Divisions. The replies of all the Commissioners have been received, and I am now to state that in concurrence with yourself and the majority of Commissioners, the Chief Commissioner authorizes the extension of the principle of pre-emption to all cases of usufructuary mortgages, in modification of para. 7 of the late Board's Circular No. 28 of the 3rd May 1852, which para. excepted mortgages and temporary transfers from the operation of the ordinary rule. The object of that Circular was, the Chief Commissioner observes, to secure the integrity of village communities, and that with reference to the nature of those mortgages, and their liability to be converted or merged into permanent transfer, and to the general circumstances of such transactions, it is necessary to apply the restriction to them also, for the perservation of the village unity and integrity.

2*nd*.—I am accordingly to request that you will be good enough to issue a Circular to the above effect.

## CIRCULAR NO. 44.

*Dated 28th August* 1856,

*To all Commissioners (except C. S. States.)*

REVENUE.

(JAGIRS)

When a Jâgîrdâr commits a crime that involves a capital sentence, his jâgîr or share is to be confiscated.

I have the honor to annex, for your information and guidance, and that of your District Officers, a copy of a letter No. 4170, dated 8th current, from the Secretary to the Government of India to the address of the Chief Commissioner, received with a letter from the Secretary to the latter, to my address, No. 748, dated 23rd current.

By the instructions contained in this letter, whenever a Jâgîrdâr shall commit a crime involving a capital sentence, his jâgîr, or share, is to be confiscated, whatever may be the rules of inheritance* heretofore prescribed in regard to it.

No. 4170.

*From G. F. Edmonstone, Esq., Secretary to the Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner for the Punjab, dated Fort William, 8th August* 1856.

Foreign Department.

I have the honor to acknowledge the receipt of your Secretary's letter No. 485, dated the 9th ultimo, and its enclosure, regarding the proposal to confiscate certain shares in a jâgîr in the Amballa District, held by Prem Singh, inheritable by Nihâl Singh and Dyâl Singh, sons of the Jâgîrdâr, who were killed while in the act of perpetrating a theft attended with murder.

2*nd*.—In reply, I am directed to inform you that the Governor General in Council has been pleased to sanction the

NOTE.—This rule was subsequently modified by orders of the Hon'ble Court of Directors, *vide* Book Circular No. 40, dated 2nd December 1858.

confiscation of the shares of Nihâl Singh and Dyâl Singh on the death of Prem Singh, the present holder, as recommended by the Officiating Commissioner Cis-Satlaj States and yourself.

3*rd*.—His Lordship in Council also sanctions the same course being adopted in future cases of the like kind, should any such arise.

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## CIRCULAR NO. 45.

*Dated 6th September* 1856.

*To all Commissioners, (except Trans-Satlaj States.)*

REVENUE.
(BARKANDAZES.)
Quarterly Return of Arms, Ammunition and Accoutrements of Tahsîl Barkandâzes to be submitted.

The Board of Administration, by their Circular No. 3 of the 3rd January 1852, in the Judicial Department, directed the submission of a Quarterly* Return of the state of the firearms and accoutrements of the Thanah Police in your divisions, as Tahsîl Barkandâzes have now been subjected to drill and to a certain amount of a military organization, and arms and accoutrements have been lately served out to them, it is desirable that periodical reports be supplied of the state of these articles. I request, accordingly, that you will, in future, furnish me with a Quarterly Statement, showing the state of the arms and ammunition of the Tahsîls of the several districts of your divisions, in the form supplied to the Judicial Commissioner, but according to the official year, commencing from the current quarter.

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* *N B*—It was subsequently directed by Book Circular No. 39, dated 2nd December 1858, that this return be submitted yearly, instead of quarterly.

## CIRCULAR NO. 46.

*Dated 10th Sept. 1856.*

*To all Commissioners.*

REVENUE.

(TAKKAVI.)

Rules for adjustment of large Takkâvî advances sanctioned in general terms without specification of recipients.

I have the honor to forward extract from a letter No. 14, dated 30th June 1856, from the Accountant N. W. Provinces, to the address of the Deputy Commissioner, Gûjranwalla, and request you will instruct the District Officers of your Division to follow the course therein prescribed, in cases where large Takkâvî advances are sanctioned in general terms, without specification of the recipients, but not at once disbursed, in order to avoid the necessity of such advances being left unadjusted in the deposit account for a length of time.

*Extract from a letter No. 14, dated 30th June 1856, from the Accountant N. W. Provinces, to the address of Deputy Commissioner, Gûjranwalla.*

"I beg to remark, that it is objectionable to debit large Takkâvî advances in the Treasury Accounts, when the whole amount is not absolutely needed at the time, as in each case the deposit account is unnecessarily burthened with the surplus. I would, therefore, suggest that, in future, when large Takkâvî advances are sanctioned by competent authority, instead of debiting the head of "Takkâvî" with the full amount, you should charge only the sums that are *actually* needed for the purpose under that head, and, with the 1st charge in your Treasury account, forward the original authority sanctioning the advance as a voucher in support thereof, and for subsequent charges of that advance, reference need only be given to the voucher forwarded for the charge in the first instance, but great care should be taken that the authorized amount of each advance is not exceeded. By adopting this suggestion there will be no necessity to hold any money for Takkâvî in deposit.

## CIRCULAR NO. 48.

*Dated 13th September 1856.*

*To all Commissioners.*

REVENUE.
(LAMBARDARS)
Rules in regard to number and selection of Lambardârs.

I have the honor to request that you will direct the attention of your District Officers to the Circular Order of the Saddar Board of Revenue, N. W. Provinces, No. 14, dated 2nd current, and published in the *Agra Government Gazette* of the 9th idem.

2*nd*.—The Circular in question contains rules in regard to the number and selection of Lambardârs, and it is desirable that their spirit be acted upon, as far as may be practicable, in this territory likewise.

3*rd*.—The Rules in question are obviously intended, primarily, for application where regular settlements have been completed, but there is no reason why the principles, on which they are based, should not be kept in view, and carried out as fitting opportunity may offer at all times and in all places.

*Circular Order No. 4, by the Sudder Board of Revenue, North Western Provinces, dated 2nd September, 1856.*

*To all Revenue Authorities in the North Western Provinces.*

REVENUE.
*Present.*
W. Muir, Esquire, Officiating Member.

It has come to the notice of the Government, in late enquiries regarding the Police responsibilities of zamîndârs, that the rules in force, for the maintenance of the proprietary register, are not uniformly observed. The Sudder Board of Revenue are therefore pleased, with the sanction of the Government, to call the attention of all Revenue Authorities to the instructions contained in Section VIII., paragraphs 196-218 of their printed Circular No. III. and to the following observations :

2.—The number of Lambardârs appointed at the settlement was sometimes unnecessarily large, and in some cases that number, instead of having since been diminished, has been increased. In one instance, by the admission of the heirs of a Lambardâr to his office, instead of five, there are now twenty-one Lambardârs,* and it is apprehended that in case of sale or transfer, by order of the Civil Court, a new Lambardâr has been sometimes appointed in contravention of paragraphs 214-217 of printed Circular No. 3, and paragraph 304 of Directions to Collectors.

* Paragraph 207, Circular No. III.—Only one Lambardâr is to be registered in the place of one deceased. The total number is not to be increased beyond that fixed at the settlement.

3.—It has been all along the principle of the settlement in the North Western Provinces, that the number of Lambardârs in a Mahâl should be as small as possible.* This principle will now become of even greater importance, in consequence of the XLIII. Rule of the Seharunpore Settlement Instructions, by which an allowance of 5 per cent. will, in all revised settlements, be assigned to the Lambardârs of pattîdârî villages. The object of this arrangement, which is intended to make the office one of importance and influence, will be entirely defeated, if the allowance be frittered away among a large number of recipients.

* Paragraph 157 of Directions to Settlement Officers.—The number should be as small as is compatible with due security to all the sharers against being defrauded in the account.

4.—It is of importance, therefore, that where the number of Lambardârs fixed at the settlement has been exceeded, the original number should, as early as possible, be reverted to. Every Collector should, for this purpose, draw up a statement, showing the number of shareholders, the number of thoks and pattîs, the number of Lambardârs fixed at the settlement, and the number now existing. Every case of increase will be enquired

into, and dealt with according to its merits and with reference to the compact of settlement.

5.—The same statement will enable the Collector to form an opinion as to the appropriateness of the proceedings of the Settlement Officer in the original appointment of Lambardârs. The Lambardâr is "the representative of the whole community, or of a portion of it, as one thok or behrî or pattî." Where an estate is divided into two or more chief thoks or pattîs, with independent arrangements and interests, it may be necessary to allow a separate Lambardâr to each. The various interests involved, must be fairly represented; but the fewer the number of Lambardârs compatible with this principle, the better, where there are numerous distinct pattîs, claiming each their own Lambardâr, the Collector should endeavour to persuade the pattîdârs either at revision of settlement, or as opportunity may otherwise offer, to combine with reference to descent, local position, or other common interest, and place themselves under the representation of some influential pattîdârs of their number, who may by his judgment and character merit general confidence.

See paragraph 156 of Directions to Settlement Officers.

Paragraph 157 of Directions to Settlement Officers.

6.—This may also be tried with advantage, wherever a Lambardâr in such a village is sold out by decree of Court, or by mortgaging his share or resigning possession abandons his Lambardârî title; where there are already many Lambardârs, it does not follow, that those circumstances render the appointment of a new Lambardâr absolutely necessary. The sharers should be first invited to elect some one of existing Lambardârs to assume charge also of the vacant office: and if this be done judiciously, the attempt may often be successful.

7.—But in all these proceedings, it is essential to success that the Revenue Authorities carry those concerned entirely

with them. The arrangements, if forced upon them, will either not be practically acted upon, or will lead to injustice and injury. A kindly well directed influence, in which the people shall recognize an earnest and enlightened desire on the part of the Collector to benefit themselves, will, under all ordinary circumstances, meet with success. Where, from dissensions, or mutual suspicion, this may be impossible, the Collector will refrain from all compulsory measures, and wait for a more favorable opportunity.

8.—The subject will be noticed prominently in the annual Administration Report.

9.—In carrying into effect the views embodied in this Circular, the subjoined form, which has been found convenient by the Collector of Sahâranpûr, may be used.

*Form alluded to in the Financial Commissioner's Circular No. 48, dated 18th Feby. 1856.*

| Name of Pergunnah. | Name of village. | Caste of Zemindar. | Number of sharers. | Number of thokes or Puttees. | Number of Lumberdars at the time of settlement. | Number of Lumberdars as per records of Tahsil. | Terms of Wajib-ool-urz. | | Remarks. |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Hereditary. | Elective. | |
| | | | | | | | | | |

## CIRCULAR NO. 50.

*Dated 19th Sept.* 1856.

*To all Commissioners.*

I have the honor to annex, for your information and guidance, copies of the correspondence noted in the margin,* and request that the Rules pointed out therein, with the modification desired by the Chief Commissioner, may be considered, in future, as in force in the Punjab.

REVENUE.

Circulates revised Revenue Rules for information and guidance.

* My letter No. 368, dated 16th ultimo, to address of Secy to Chief Commissioner; his reply No. 822, dated 15th current.

*2nd.*—By Rule XV., as modified by the Chief Commissioner, you will observe that you will, in future, have to report to his Office direct, on all extraordinary charges, new buildings and additions, and by Rule XVIII. you will be competent to authorize the continuance of hereditary pensions to the heirs of the deceased, on the occurrence of each case of lapse.

*3rd.*—I would direct your attention also to the Rules IX, XVI and XX. by which some modification is made, in the practice hitherto in force; as also to Rule XXIII prescribing that all Circulars on questions of Law or general practice, are to be submitted for approval or discussion, previous to issue.

*P. S.*—A copy of the Rules, as revised for observance in the Punjab, is annexed to this Circular.

No. 368.

*From D. F. McLeod, Esq., Financial Commr., to R. Temple, Esq., Secy. to the Chief Commissioner, dated 6th August* 1856.

The Agra *Government Gazette* of the 12th current contains a Circular order No 9, dated 5th idem, issued by the Sudder Board of Revenue, N. W. Provinces, with an annexure, entitled "Amended Rules for the guidance of the Sudder Board

of Revenue and the Revenue Commissioners," and as these rules appear to me to be generally well suited for adoption in the Punjab, in the same manner as the spirit, and in most instances the letter, of former Rules have heretofore been adopted, I have the honor to solicit the Chief Commissioner's sanction to their introduction.

*2nd.*—Rule XXIV. of the series is strictly local and will not apply ; and in Rule XVIII. I would recommend that the Commissioner be substituted for the Board, as the authority competent to sanction the continuance of an hereditary pension, on the death of an incumbent, to the next heir. Rule XV. the Chief Commissioner may perhaps desire to modify, and, throughout the Rules, the Financial Commissioner would have to be substituted every where for the Board.

*3rd.*—No other points occur to me requiring modifications, and the Rules thus altered might, I think, be adopted with good effect, so far as they may apply to the existing state of things. But in this case it will be necessary that the Civil Auditor and Accountant be informed of the adoption of Rules VIII and IX. It will not be necessary, at present, to enforce Rule XVII., but I anticipate, that ere long, it will be necessary to place licenses for the manufacture of saltpetre in the Punjab on the same footing as in the N. W. Provinces, when this rule likewise will apply.

No. 822.

*From Captain H. R. James, Officiating Secy. to Chief Commr., to D. F. McLeod, Esq., Financial Commissioner, dated 15th Sept.* 1856.

I am directed to acknowledge your letter, No. 368, of the 16th ultimo, and as therein recommended to carry the Chief Commissioner's authority to the adoption of the Rules promulgated by the Sudder Board of Revenue with their Circular No. 9, of the 5th August, published in the *Agra Government Gazette*, of the 12th idem, in the Punjab, with the following modifications.

*2nd*:—In Rule XVIII., Commissioner to be substituted for the Board.

In Rule XV., it should be declared that references regarding extraordinary charges, new buildings, and additions, should be submitted direct by the Commissioner to this department.

In all the Rules except XVIII, Financial Commissioner to be substituted for the Board. Rule XXIV to be omitted.

A copy of this letter will be forwarded to the Accountant and Civil Auditor N. W. Provinces.

## REVISED REVENUE RULES.

The following alterations in the Rules of practice for the Financial Commissioner and Commissioners prescribed in the instructions of Government, dated 3rd March 1839, and in subsequent Circulars, have received the approbation and sanction of Government in orders No. 4068, dated 29th July 1856, and are now issued for the general information and guidance of all Revenue Authorities.

Suspension of Revenue demands. Paragraph 39 Directions to Collectors.

I.—*Land Revenue.*— Suspensions of demand on account of calamity of season, or other cause, when not of an important character or of large amount, may be sanctioned by the Commissioner. References on this account need be made to the Financial Commissioner in special cases only.

Ditto.

II.—A similar authority will be exercised by Commissioners with regard to the levy of suspended balances of an ordinary character. These will, in the discretion of the Deputy Commissioner, acting where necessary under the authority of the Commissioner, be enforced, with due advertence to the nature of the season and position of the defaulters, or deferred when that course may be advisable.

III.—Revenue attachments for default will, in every instance, be reported to the Commissioner, but reference need not be made to the Financial Commissioner, except in cases where the attachment is continued beyond the term of six months.

Revenue attachments.

IV.—Claims to renewal of lease of farmed estates in favor of the heir of the deceased farmer may be decided by the Commissioner without reference to the Financial Commissioner.

Renewal of farm leases of deceased farmers to heirs.

V.—The present restriction of the power of Commissioners in sanctioning Takkâvî advances in estates under direct management, to an amount not exceeding five per cent. on the jama, is removed.

Takkâvî.

VI.—Payment of authorized Malikanah will be made on the authority of the Commissioner. But questions of continuance or modification of the existing amount will be referred to the Financial Commissioner.

Malikanah

VII.—The orders of the Commissioner for confiscation in default of payment of Canal Tolls, under Section 7, Act VII. 1845, shall be final.

Canal Tolls.

VIII.—The Financial Commissioner shall be competent to sanction the transfer of sums from one head of account to another, and refund of payments credited to Government, wherever such transfer or refund is held by them to be a matter of right.

Transfer of sums in accounts and refunds of money credited to Government.

IX.—Commissioners shall be competent to pass refunds rendered necessary in consequence of any order passed by them within their competency.

Refunds.

X.—*Registration.*—In imperfect partitions the orders of Commissioners will be final. For complete divisions under the law, the half yearly statements* submitted to the Suddur Board of Revenue sufficiently protect the interest of Government against erroneous confirmations.

Registration.

XI.—*Civil Courts.*—Commissioners shall be competent to sanction the disbursement of law charge necessary for carrying on a suit, and also all payments ordered by a regular Decree of a Court of Justice, as well as the adjustments, in the Deputy Commissioner's accounts, of advances on account of law charges, rendered irrecoverable either by the suit being decided against Government, or by the death or poverty of the parties.

Law charges.

The Financial Commissioner shall be competent to sanction disbursement of all sums payable under their orders directing claims in suits to be compromised, and the remission of any sums due to the Government, under Decrees of Courts, entirely irrecoverable in consequence of the proved insolvency of the debtors.

Ditto.

XII.—The authority of a Commissioner shall be sufficient for the adjustment in the Deputy Commissioner's accounts of advances of diet allowance to revenue defaulters, which may be found to be irrecoverable.

Diet allowance to Revenue Defaulters.

XIII.—In mâfi cases, permission to proceed to the investigation of the validity of the tenure, and decide on the claim to hold lands exempt from assessment, will be granted by Commissioners to the Collector.

Mâfi-investigations.

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* Note.—This form of Statement has not been prescribed in the Punjab, as complete Batwâras are unknown, save occasionally during the progress of Settlements or in very exceptional cases.

D. F. McLEOD.

XIV.—*Miscelleneous.*—In proceedings connected with the estates of disqualified persons under the Court of Wards, it will only be requisite to obtain the sanction of the Financial Commissioner to the assumption of charge in the first instance, and to report annually the results of management. Ordinary details of management, education, maintenance, &c., will be conducted by the district officers under the supervision of the Commissioner.

Management of estates under Court of Wards.

XV.—Ordinary repairs to public offices not exceeding Rupees 500 will be sanctioned by Commissioners. Extraordinary charges, new buildings, and additions will be reported direct for sanction to the Chief Commissioner.

Repairs to public buildings.

XVI.—*Abkârî.*—The farm of Muskarât, or intoxicating drugs, can be sanctioned by Commissioners for three years. For Abkârî and Târî farms their authority continues limited to one year, (Circular Order No. 3, dated 18th April 1855.)

Abkari and Muskarât.

XVII.—The withdrawal of licenses to manufacture saltpetre will require the sanction of the Financial Commissioner.

Manufacture of saltpetre.

XVIII.—*Pensions.*—Commissioners shall be competent to authorize the continuance to heirs of pensions, the hereditary title to which has already been recognised by Government, or been decreed by a competent Court of Justice.

Continuance of pensions.

Rule XXI. Bengal Series.

XIX.—The Financial Commissioner shall report to Government any case in which, at the recommendation of the Commissioner or otherwise, they may be of opinion, on the decease of a life pensioner, that the pension, or any part thereof, should be continued to the heirs of the deceased

Continuance of pensions.

Rule XXII ditto.

in consideration of any claims they may have on Government or of other sufficient grounds.

Payment of arrears of pensions.

XX.—The power of Commissioners is extended to authorize payment of arrears for a period not exceeding 12 months.

Revision of proceedings of Commissioner or other subordinate revenue authority by Financial Commissioner.

Interference by Financial Commissioner when necessary.

XXI.—The Financial Commissioner shall be competent, with or without appeal, to call for, and to revise or alter any proceedings of a Commissioner, or other Subordinate Revenue Authority, not made final by law. The power of interference, if necessary, on special grounds, is reserved to the Financial Commissioner in all cases, in which the orders of the Commissioner are declared in the foregoing rules to be ordinarily final.

Report of higher authority in cases of dissatisfaction by lower one.

XXII.—Commissioners shall report to the Financial Commissioner any case, in which the Deputy Commissioner, dissatisfied with the Commissioner's decision, may desire such a reference; similarly, the Financial Commissioner shall report to Government any case decided by them, in which the Commissioner may desire a reference. In each case the responsibility will rest with the officer desiring the reference.

Issue of Circulars involving principles or general rules.

XXIII.—Commissioners shall issue no Circulars to their subordinates on questions of law and general practice, without previous consultation with the Financial Commissioner.

## CIRCULAR NO. 52.

*Dated 23rd September, 1856.*

*To all Commissioners, (except Cis-Satlaj Division)*

I have the honor to annex, for your information and guidance, copies of the correspondence noted in the margin,* prescribing certain modifications in the rules regarding the sale of wines and spirituous liquors, imported from Europe, or manufactured according to the European manner, and an enhancement in the amount to be paid for licenses to sell them.

REVENUE.

(ABKARI)

Revised Rules in regard to sale of foreign imported liquors and of liquors manufactured in India after the European method.

* 1.—Letter from Officiating Commissioner and Superintendent Cis-Satlaj States, No. 179, dated 23rd June 1856.
2.—My letter to address of Secretary to Chief Commissioner, No. 267, dated 30th idem
3.—Secretary's reply No. 834, dated 18th current, with enclosures.

*2nd.*—I request, that steps may be taken for having the purport of the orders of Government at once made generally known, and for having all licenses, applying to the sale of these liquors, revised at the earliest practicable date.

No. 179.

*From G. Campbell, Esquire, Officiating Commissioner and Superintendent Cis-Satlaj States, to D. F. McLeod, Esquire, Financial Commissioner, dated 23rd June 1856.*

In reply to your letter No. 1462, of 3rd May, on the subject of the sale of European spirituous liquors, I have the honor to annex copy of a letter from the Deputy Commissioner, Simla, No. 394, of 4th instant, and enclosure.

*2nd.*—The fact is, that the usual license for the sale of European liquors is for the *wholesale* vend, that "wholesale" is limited by law (Regulation VII. of 1824, Section V., Clause 2) to quantities not less than 2 gallons, and that the sale of a single bottle, as a sample, appears to be, so far as I can see, a mere

evasion of this rule, but one which somehow or other, has by practice acquired a kind of prescription, insomuch, that all over the country any European dealer will tell you, that he can sell you 9 bottles (2 gallons,) or one bottle as a sample, but no intermediate quantity.

*3rd.*—At Simla, however, the form of license is certainly incorrect, and contradictory, inasmuch as the license is called a license for *retail sale*, and of the conditions one clause says, that the sale shall be confined to one bottle to one purchaser at a time, and another that not less than nine bottles shall be sold at a time. I therefore think that the whole subject requires review and adjustment, and have gone into it with this view.

*4th* —I believe that foreign liquors are imported on the payment of the following duties :—

| | | | | |
|---|---|---|---|---|
| Spirits, Rs... | 1 | 8 | 0 | per Gallon. |
| Wine, Rs... | 1 | 0 | 0 | „ Ditto. |
| Beer,.. | 5 per cent. ad valorem. | | | |

And that spirits manufactured in this country in the European method pay, under Regulation II. of 1802, Section 9, an excise duty at the still-head of 6 annas per gallon.

Beer manufactured in the country seems to pay no special duty—at least I believe that the Kussowlee Brewery has only an ordinary license for wholesale vend, and the manufacture is not interfered with.

*5th.*—Section IV. of Regulation 7 of 1824 provides for the retail of imported liquors, and of those manufactured in the European method, under the provision that they shall be charged such an excise duty as shall, added to the import or still-head duty, equal the highest amount of duty payable at the Saddar Distillery of the District. But since that time the Abkârî system has been changed, the sale of monopolies has been substituted for a fixed duty on native spirits, and it is impossible to ascertain what is the highest duty paid by such spirits. The levy of a duty according to quantity sold would

also render necessary a highly difficult and odious supervision and inquisition. Hence, altogether, the provision for the retail of European liquors has, I believe, (at least in the N. W. Provinces and Punjab) fallen entirely into disuse, and no retail licenses are granted.

6*th*.—But Section V. of the Regulation already quoted (VII. of 1824) provides separately for the *wholesale* vend of imported and European manufactured liquors under license from the Collector, subject only to a license fee of Rupees 16 per annum, and to no additional duty whatever; and it is under this provision that licenses are granted, and either European liquors or Shâhjehânpûr Rum are sold in quantities not less than 9 bottles, or by the sample evasion, in single bottles.

7*th*.—I think that the sale of imported liquors in small quantities is unobjectionable, but that the sale under the name of a sample of a single bottle of country Rum, as in the Simla case now under reference, is a very objectionable and injurious evasion of the Abkârî laws. What therefore I would propose is as follows.

8*th*.—I see no objection to the retail sale of imported European liquors under due license and regulation. All such liquors bear a high price, and will never be extensively resorted to by the class of low Europeans who get drunk on country liquor. The duties paid on import of wine and spirits are very high, and I should say much exceed the duty realised on any native spirits. Beer is an unobjectionable beverage —and there is no doubt that in this country of constant movement, and temporary sojourn, the power of obtaining liquors in small quantities—half a dozen of Beer, or a couple of bottles of wine—would be a great convenience to the European community. But for the sample bottle evasion, the impossibility of obtaining a small quantity of liquor would have been felt as an intolerable hardship by travellers and others. The sale of expensive imported liquors would, in no appreciable degree, interfere with the Abkârî sales, and the import duty already paid,

as I have said, more than equals the Abkârî duty. I would, then, propose to authorise Deputy Commissioners to grant licenses for the retail sale of imported spirituous liquors on payment of the usual fee.

9*th*.—The subject of country made Rum must be considered separately. It pays, as I have mentioned, the very low duty 6 annas per gallon, or one anna per bottle, and is sold very cheap It may, therefore, seriously compete with the Native Abkârî spirits; it would be well if it could be admitted, at a fixed duty, to compete with them on equal terms, but as, under the present system, this is impossible, I think we must leave it on the same footing as the native spirits. The Abkârî Contractors may sell it, if they find it for their advantage to do so, or the Rum sellers may take an Abkârî shop, but the general retail sale cannot be permitted. The only claim which might be fairly made by the Rum manufacturers would be to receive a drawback of the still-head duty upon Rum sold under the Abkârî laws; but as Rum is not yet manufactured in the Punjab, I think we may leave it to the authorities of the N. W. Provinces, first to make this arrangement.

10*th*.—I am not aware that wines or other European spirits are manufactured in this country, and though Mr. Barrett at Simla talks of making Whiskey and Wine, the experiment has yet to be tried. It remains only to provide for the sale of country-made Beer, and though it may no doubt be an anomaly, that this liquor should be altogether untaxed, it is a manufacture as yet but in its infancy, and I think rather to be encouraged. Its sale is unobjectionable, its consumption small, and it would be difficult to levy a tax on it. I would therefore include all Beer in the license for the sale of imported liquors.

11*th*.—To sum up then, what I propose is—*First*, that the local officer should be permitted to grant to fit persons annual licenses for the sale, in fit and fixed places, wholesale or by retail, of imported wines and spirituous liquors, and Beer of every description, subject to the payment only of a license fee of Rs. 16,

and subject also to the usual rules regarding the sale of liquor to European Soldiers, &c., and to other local regulations.

And *second*—that the sale, by retail, of spirits manufactured in India, in the European method, shall not be permitted, except under the usual Abkârî laws, and that no exception shall be made in favor of sample or any other bottles. But the wholesale vend of such spirits shall be permitted as at present, and a license for such sale may be obtained, either separately, or together, with the license for the retail sale of imported liquors.

12*th*—Should you not object, I would issue these rules for observance and publication to all whom it concerns, together with a revised form of license to all Deputy Commissioners and Superintendents of Cantonment Abkârî in this Division.

No. 267.

*From D. F. McLeod, Esquire, Financial Commissioner, to R. Temple, Esquire, Secretary to the Chief Commissioner, dated 30th June,* 1856.

I have the honor to submit, for the consideration and orders of the Chief Commissioner, a copy of a letter No. 179, dated 23rd current, from the officiating Commissioner Cis-Satlaj States, on the subject of the sale of foreign imported liquors and liquors manufactured after the European method. As although the propositions made by him appear to me judicious, it is not within my competence to sanction their adoption.

2*nd*.—The circumstance which has led Mr. Campbell thus to enter into the matter is this. An European merchant at Simla had been charged with the illicit sale of a bottle of Rum, but acquitted by the Deputy Commissioner of having acted illegally in the matter, as his license permits him to sell a "muster bottle," which he asserted it to be. This decision, however, was overruled by Mr. Barnes, who fined the merchant, and the latter in consequence appealed to me.

*3rd.*—Mr. Campbell's propositions are two. The first—that the retail sale of imported liquors be permitted without the demand of an excise duty, on the ground that Section IV. of Reg. 7 of 1824, fixing an excise duty on such retail sale, has necessarily become inoperative since the system of Saddar Distilleries has ceased—that our Abkârî Revenue requires no such protection, as imported liquors cannot compete with country made ones—that such liquors already pay an import duty—and that the permission to sell muster bottles, which the (so called) wholesale license every where concedes, has virtually neutralized the prohibition against retail sales— which circumstance alone has prevented the prohibition from being felt as a great inconvenience. Country-brewed Beer he would bring within the same category, as being a manufacture which is of very limited extent, and which it is very desirable to encourage.

*4th.*—I concur with Mr. Campbell in the above arguments and conclusions. I believe that the permission, which he proposes to grant, would not afford facilities for the purchase and consumption of liquor appreciably greater than those already afforded by the clause, which declares that a "muster bottle" may be sold—that this clause of the existing form of license, which could not well be rescinded while retail sale is disallowed, and which yet could not well be so modified, as to render it effective without a harassing amount of surveillance, is one which it would be desirable to get rid of—as it leads at present to a systematic evasion of the rules on which the license professes to be founded.

*5th.*—Even were it otherwise, I believe that the drunkard, who was too poor to purchase the 9 bottles, allowed to be sold by the terms of the wholesale license, would usually content himself with country spirits, which would be worse. And as it seems to me, therefore, that the restriction at present imposed, has, under existing circumstances, no sufficiently

definite end or aim—while its withdrawal cannot affect, as far as I can perceive, any other interests, or any other localities than those into which it may be introduced, I recommend that the restriction in question be withdrawn, as recommended by Mr. Campbell,—that country-brewed Beer be included within the privilege—and that the existing form of license be accordingly modified, so as to admit of imported liquors and country-brewed Beer being sold by either wholesale or retail, without further payment of excise duty.

6*th*.—Mr. Campbell's second proposition is, that, as respects Rum or other spirituous liquors (excepting Beer) manufactured in India, on the European method—the permission to sell muster bottles be withdrawn—that wholesale vend of these be allowed as at present—but that if it be desired to sell single bottles, under any circumstances whatever, it must be done in accordance with the general Abkârî Laws. As the Rum at present manufactured in India pays at present a duty of but 6 annas a gallon, or one anna per bottle, it is clear that the sale of single bottles, without further demand, may seriously interfere with the interests of the Abkârî farmer, and the objects of the Abkârî Laws. Some rule of the kind, therefore, appears to me necessary—the proposed one I think unobjectionable, and I recommend, accordingly, that whatever may be determined in respect to the other proposition, this one be carried out, as soon as may be practicable.

No. 834.

*From Captain H. R. James, Officiating Secretary to the Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner, dated* 18*th September* 1856.

REVENUE.

In reference to your letter No. 267, of the 30th June last, and its enclosures, regarding the sale of foreign imported liquors and those manufac-

tured after the European method in this country, I am directed by the Chief Commissioner to forward, for circulation and general information and guidance, copies of Mr. Temple's letter No. 509, of the 21st July last, to the Secretary to the Government of India, on the subject, and of the Government reply conveying sanction to your recommendation, as well as to that of the Chief Commissioner, in regard to the enhancement of the license fee, in cases of foreign imported liquors from Rs. 16 to 32 per annum.

No. 509.

*From R. Temple, Esquire, Secretary to the Chief Commissioner, to G. F. Edmonstone, Esquire, Secretary to the Government of India, Foreign Department, dated 21st July* 1856.

REVENUE.

I am directed to submit copies of a letter No 267, of the 30th ultimo, and its enclosures, regarding the sale of foreign imported liquors and those manufactured after the European method in this country.

2*nd*.—The Chief Commissioner concurs in the views of the Officiating Commissioner Cis-Satlaj States, and the Financial Commissioner, and recommends their proposition for the sanction of the Right Honorable the Governor General in Council, as follows :—*First*—that the retail sale of imported liquors be permitted without the demand of excise duty, subject to the payment only of a license fee. But this fee at present amounts only to 16 Rs. per annum, which appears to the Chief Commissioner too low; he would therefore suggest that it may be raised to 32 Rupees, if such enhancement be practicable; and *Secondly*—that in respect to liquors manufactured on the European method in India (except Beer) the permission to sell muster bottles be withdrawn, and that wholesale vend be permitted as at present, but that retail sale should not be allowed except under the usual Abkârî laws.

No. 4509.

*From G. F. Edmonstone, Esq., Secy. to the Govt. of India, to Sir J. Lawrence, K. C. B., Chief Commr., Punjab, dated 29th Aug.* 1856.

I have received and laid before the Governor General in Council, your Secretary's despatch dated 21st ultimo, No. 509, recommending a modification of the rules at present in force in the Punjab, relative to the sale of foreign imported liquors and of liquors manufactured in this country after the European method.

*2nd.*—In reply I am directed to inform you that His Lordship in Council is pleased to accord his sanction to the change proposed (including the larger fee for license) seeing that they are expedient, and that good and sufficient reasons have been given for them in your despatch and in the papers which accompanied it.

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**CIRCULAR NO. 54.**

*Dated 27th September*, 1856.

*To all Commissioners.*

REVENUE,

(BUILDINGS.)

Instructions for the timely submission of plans and estimates of all public buildings to be included in the annual budget.

Referring to the Circulars marginally* noted, which have been received by you, I have the honor to forward copy of a letter No. 1670, dated 12th instant, from the Secretary Chief Commissioner, with its annexure, and request your strict observance of the orders therein contained regarding the submission, by or before the 1st November next, of all plans and estimates of public buildings in the Revenue Department, intended for insertion in the Budget for 1857-58.

* Circular No. 313 dated 22nd February, 1856, from Secretary Chief Commissioner to all Commissioners.

Circular No. 415 dated 11th March, 1856, from do to ditto.

No. 1670.

*From R. Temple, Esq., Secretary to Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner, dated 12th Sept., 1856.*

Public Works.

I am directed to forward, for your particular attention to the subject therein discussed, so far as relates to your Department, copy of a letter this day addressed to the Judicial Commissioner, No. 1669, regarding the preparation and submission of plans and estimates of public works by the local authorities before or by the 1st November in each year, for inclusion in the Budget of Public Works, which is annually submitted to the Supreme Government by this Department.

No. 1669.

*From R. Temple, Esq., Secretary to Chief Commissioner, to R. Montgomery, Esq., Judicial Commissioner, dated 12th Sept., 1856.*

PUBLIC WORKS.

Your letter No. 186, dated 16th July 1856.
This office letter No. 1358, dated 26th July.

In reference to the correspondence marginally* noted, regarding certain Tahsil and Thana buildings in the Jhung District, I am directed to forward copy of a letter from the Secretary to the Government of India, No. 3913, dated the 22nd ultimo, and in reference to the remarks contained in its 2nd para., to request the favor of your impressing on the officers subordinate to your control the absolute necessity for care and attention in the submission of plans and estimates for new works, such as relate to your Department, by 1st of the November preceding the official year during which the works are to be executed, so that they may be included in the ensuing Budget of Public Works, which is submitted to the Supreme Government in January. Information of the same should also be communicated simultaneously to the Chief Engineer. The plans and estimates may be submitted even before the 1st of November, in-

deed the earlier they are prepared and submitted the better, inasmuch as full time will be afforded to the Chief Commissioner for their consideration. Such plans and estimates will of course, after approval, be retained in this office until the preparation of the annual Budget, unless any works should be very emergent.

2.—I am further to request that you will be good enough to bring to the recollection of the local authorities the Circulars Nos. 3, 13, 15, and the subsequent Circulars Nos. 4, 16, 17, both relating to this subject. It must be generally understood that, under the new system, all proposals for new works are to be thought of *beforehand*, with reference to the preparation of the Budget, on which the Supreme Government lay great stress.

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**CIRCULAR NO. 55.**

*Dated 8th October* 1856.

*To all Commissioners.*

REVENUE
(SETTLEMENT.)
Mr. M. R. Gubbins' remarks on the correct preparation and rectification of Settlement records and other collateral topics.

I have the honor to forward herewith, for your careful consideration, and that of your District Officers, a copy of a letter No. 780, dated 20th August last, from the Secretary to the Chief Commissioner, calling particular attention to the remarks connected with the correct preparation and rectification of Settlement Records, and other collateral topics appertaining thereto, which are contained in a Report dated 15th August 1856, submitted by Mr. M. R. Gubbins, Collector of Agra, to the Commissioner of the Division.

2*nd*.—Measures will be immediately taken for having you supplied with a sufficient number of printed copies of the Re-

port in question,* for distribution to the several Districts of your Division, should you not have been already supplied with these. But in the mean time, I deem it advisable no longer to delay circulation of the accompanying letter, and request that you will direct the earnest attention of your Deputy Commissioners to the following points.

3*rd*.—The points to which I refer may be summarized as follows.

*First*.—The instruction of Patwârîs in field measurements and in the preparation of Khateonies, Tahrîj, and other settlement records now required of them, together with arrangements for keeping up that instruction, when once imparted, and maintaining the required accomplishments and efficiency throughout all changes that may occur in the incumbency of the Patwârî's office.

*Second*.—The maintenance, in an efficient state, of the boundary-marks of fields and villages, wherever Khasrah measurements have been effected ; and securing, at the same time, a sufficient record of any changes of these boundaries, which may from time to time be effected, for the indication of which, it will be necessary that fresh boundary-marks be erected on the ground, when those previously erected are no longer valid..

*Third*.—The punctual submission of the Patwârîs' yearly papers, and their comparison with the Settlement Record, wherever that has been completed ; every variation from the latter, which may result from mutations or other causes, being clearly shown, and adequately tested.

* Printed copies were subsequently distributed, with Circular No. 63, dated 15th November 1856.

D. F. McLEOD, *Fin. Commr.*

*Fourth*—The rectification, in the mode indicated in paras. 244 to 251 of the Directions to Collectors, of all Settlement Records, where these have been completed, in which errors may from time to time be discovered.

*Fifth.*—The training and testing the acquirements of the Tahsîl Establishments, generally, to ensure their competence to direct and control all the above operations.

*4th.*—Mr. Gubbins, in his report, remarks upon the difficulty experienced by him, and which has, no doubt, been similarly experienced throughout the Punjab generally, in the matter of coercing Patwârîs, so as to oblige them to qualify themselves, within a reasonable time, for the duties required of them ; and to maintain this qualification, when once attained ; and he found that he effected but little real progress, until he adopted the expedient of having the Patwârîs' dues collected by the Tahsîldârs, and by them paid over to those Patwârîs, who had adequately exerted themselves. This system may not be generally expedient, but where Patwârîs are found to be indifferent, or recusant, it will no doubt be advisable to resort to the measure.

*5th.*—In the foregoing remarks, I have not adverted to the subject of allotting suitable circles to the several Patwârîs of a District. This has, I trust, been now every where arranged for, even where regular settlements have not yet been introduced, but if it be still any where incomplete, no time should be lost in having a distribution effected, with as much accuracy as the data available may admit of, seeing that until this shall have been done, all else must remain, for the most part, in abeyance, and wherever it may be found, that a distribution heretofore effected is in any part defective, the Deputy Commissioner, with the sanction of the Commissioner, should at once take measures for having it amended.

*6th.*—The Chief Commissioner, you will observe, desires that all Patwârîs learn the Urdû character. This character has

now, I believe, been generally introduced throughout your Division, but where this may not be the case, the injunctions contained in the accompanying letter are to be borne in mind, in order that all the Patwârî papers may, within a brief period, be uniformly rendered in this character.

No. 730.

*From R. Temple, Esq., Secy. to the Chief Commissioner, for the Punjab, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated 20th August* 1856.

REVENUE.

I am directed to request your particular consideration to the report, on the rectification of the Settlement Records in the Agra District, by Mr. M. R. Gubbins, the Collector. The Chief Commissioner begs that the attention of every District Officer may be directed to the various important points adverted to in that Report. The points on which it is desirable that our Officers should acquire positive information, both from this and other Reports, and also by practical reflection, are as follows.

*2nd.*—In settled districts the maintenance of the boundary pillars and marks, throughout the villages, should be attended to, season after season. The village accountants, when they go round the fields to verify the Field Map, year by year, should be rendered responsible for examining the stability of the boundary marks. The punctual and *complete* rendering of the annual records for every estate and from every accountant is of the utmost importance. It is one of the first duties of the District Officer to insist on this being done to his entire satisfaction, and he cannot so satisfy himself, except by personal inspections of the records, though such inspection can of course only be general. In submitting his annual Revenue Report, he should certify to superior authority that he has taken means to test the annual papers. These papers should be verified by comparison with the original Settlement Records, upon which

indeed the accountant is supposed to have based his returns. Wherever a discrepancy is apparent, its nature should be considered. The difference between the Patwârî's paper and the Settlement Record may only result from some mutation of property or some change of practice in the village community, that has occurred subsequently to the settlement. In such cases the Settlement Record, if it appears to have been correct according to the status of the time, need not be altered. But if the difference shews that the Settlement Record did not correctly describe the existing status, then such record should be immediately altered, in part or in whole, as the case may be. Here again, the Deputy Commissioner should certify in his annual Report, that the Patwârîs' papers having been compared with the Settlement Records, the latter records have been rectified wherever necessary, and are to the best of his (the Deputy Commissioner's) judgment correct. If the rectification required shall have been considerable, so that it could not be finished within the year, then the progress made with it, and the period by which it will be effected, should be stated. Further more, not only the preparation of the yearly papers, but also the emendation of the Settlement Records, where necessary, should, if possible, be effected through the village accountants, under supervision either of the Tahsîldâr, or of the Sudder Establishment. Where the Patwârîs can write the Urdû character, there will be no difficulty; where they write Nâgrî character, the emendation can be managed by the Tahsîldâr's Establishment, or by the Sudder Establishment, with perhaps some temporary aid. It is however an object that the Patwârîs should *all* learn the Urdû character. The training which they will have received at the Settlement, should be constantly maintained without any intermission, and the Deputy Commissioner should occasionally examine them. The Chief Commissioner begs the earnest attention of all Revenue Officers to the above points.

3*rd*.—In Districts not yet settled, the Deputy Commissioner should, the Chief Commissioner considers, sedulously

address himself to the training of the Patwârîs in readiness for the settlement. The selection and training of these men should indeed precede the Settlement, and when that operation commences, the Deputy Commissioner should be able to make over to the Settlement Officer, a set of village accountants, as fit materials from which a complete machinery may be organized. Until something of this kind shall have been accomplished, it cannot be said that a District is ready for settlement, for if the machinery be rude, it is only a waste of public money to introduce a system of elaborate measurements and records; also, if in such Districts the Rent-free Tenures be very numerous, the District authorities may gradually commence upon the disposal of these, and thereby save much trouble and expenditure there after.

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**CIRCULAR NO. 56.**

*Dated 13th October*, 1856.

*To all Commissioners.*

REVENUE. (LAND.)

Prescribes extent of land to be assigned for plantations, Overseer's houses and road Chaukîs, along main central lines of road.

I have the honor to inform you, that the Chief Commissioner, by a letter from his Secretary No. 919, dated 4th current, has authoritatively prescribed the following as the extent of land to be appropriated for buildings and plantations along the main central line of road in the Punjab.

| | Feet | | Feet |
|---|---|---|---|
| 1.—For an Overseer's house a space | 300 | × | 300 |
| 2.—For a first Class Chaukî, ditto | 300 | × | 300 |
| 3.—For a 2nd Class ditto ditto | 150 | × | 150 |
| 4.—For a plantation or nursery | 500 | × | 500 |

2*nd*.—I request you will direct your District Officers to conform to this scale, in future, in making over land to Officers of the Department of Public Works for any of the above purposes. Any past appropriations, differing from these, need not now be interfered with.

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**CIRCULAR NO. 57**

*Dated 14th October* 1856.

*To all Commissioners.*

REVENUE.
(SUMMARY SUITS.)
Instructions regarding summary suits relating to dispossession.

I have the honor to direct your attention, and that of your District Officers, to a Circular order of the Sudder Board of Revenue, No. 17, dated 26th ultimo, published in the *Agra Government Gazette* of the 30th ultimo, and referring to a Notification No. 1678 A., dated 17th idem, issued by the Hon'ble the Lieutenant Governor N. W. Provinces, on the subject of summary suits relating to dispossession, and request that the views and instructions contained therein, which appear as applicable and appropriate in the Punjab as in the N. W. Provinces, may be acted upon in future in your Division.

2*nd*.—The rules contained in this document are based upon general principles, leaving a full discretion to all investigating authorities, to take into consideration local usages, and the particular circumstance of each case, and where rights are so various and fluctuating, as well as but partially defined as are those of many classes of cultivators, it is of importance that this discretion be not restricted.

3*rd*.—Whether sub-leases by tenants, such as those alluded to in the 19th para. of the Board's Circular, exist in the

Punjab, I am not certain, though I believe, they are to be met with, and I think it right to observe, that where this is the case, they need not be objected to, on the ground that sub-leases have been prohibited in the Punjab, as the arguments, on which sub-leases of villages have been disapproved of, do not apply to them.

*4th.*—I request, in conclusion, that you will require your District Officers to discriminate, in their yearly administration reports, the cases brought by Zamîndârs, from those brought by tenants, as enjoined in para. 21 of the Board's Circular.

(Copy)

CIRCULAR NO. 17

*Dated Agra, 26th September* 1856.

*To all Revenue Authorities in the North Western Provinces.*

Revenue.

*Present*—W. Muir, Esq., Member.

The Sudder Board of Revenue, North Western Provinces, are pleased to call the attention of Revenue Officers in these Provinces to the Notification issued by the Hon'ble the Lieut. Governor, No. 1678 A, dated 17th September, investing all Collectors and Officers exercising the powers of a Collector with authority, under Sections 14 and 20, Regulation VII., 1822, to decide, under the restrictions therein defined, summary suits relating to dispossession.

*2nd.*—It will be observed that the rules embodied in the above Notification supersede the principle laid down in paragraph 18, Section 2 of the Board's second printed Circular, dated 3rd January 1840, and also para. 129 of "Directions to Settlement Officers," and para. 278 of "Directions to Collectors."

*3rd.*—It is there held that a ryot, however temporary his right of occupancy may be, cannot legally be ousted by the Zamîndâr, otherwise than by a regular suit, and if ousted in

any other manner, that the "Collector" is bound to maintain his possession.

4*th*.—Power has now been conferred upon the Revenue authorities to entertain the suit of a landlord claiming his right of dispossession, and, in certain circumstances, the landlord's right to eject a tenant of his own motion has also, in so far as regards the Revenue Courts, been recognized. The Zamîndâr is therefore no longer shut out in respect to this class of cases from the Summary Court, and driven to a regular suit.

5*th*.—The correspondence, which has led to this desirable change of procedure, will be circulated, under instructions from Government, for general information. But it will be useful, on the present occasion, to add a few explanatory remarks.

6*th*.—Rule II.—The right of the Zamîndâr to sue in the Revenue Court, in order to eject a tenant at will, will only be recognized when the tenant has been less than 12 years in possession. Wherever satisfactory proof of 12 years' uninterrupted possession is brought forward, the summary suit will be dismissed, excepting where the possession is under a written terminable lease.

7*th*.—Where the possession has lasted for a shorter period, and there is no well supported claim on the part of the ryot, in virtue of agreement or lease, to continued occupancy, a decree will be given in favor of the Zamîndâr. The question is independent of the payment by a cultivator, during a term of 12 years, of an unvarying amount of rent. Continued possession for that period, though at different rents, will equally with an occupancy at a uniform rent, bar the summary suit for ejectment.

8*th*.—Exception from the growth of prescriptive right has been made in the case of tenures upon terminable lease. Occu-

pancy extending by a single lease, or by renewed leases, for a period exceeding 12 years, will not bar the Zamîndâr's right to claim ejectment on the expiry of such leases. But there may, in the case of the same occupant, possibly be cultivating prescriptive rights independent of the lease. A potta for a limited number of years may have been given to a cultivator, already possessing a fixed right of tenancy. It will, in such case, be for the Summary Court to determine, whether the occupancy is in virtue of the potta alone, or whether there is also a right of occupancy independent of the potta; in the event of such right being proved, the landlord will not be entitled to claim ejectment.

Or of other fields of equal value in their place.

9*th*.—An exceptional and comparatively rare class of cases is alluded to in the words in the second Rule cited marginally.* In some quarters it is reported to be customary for a cultivator with prescriptive rights of occupancy to change his holdings, retaining unaffected, with respect to the new fields so occupied, the same prescriptive right of occupancy which he possessed in his original holding. Where this custom is found to exist, it will be carefully respected and possession upheld accordingly.

10*th*.—In all cases, excepting those indicated in the previous paragraph, the question of whether possession shall be upheld or not will depend upon continued occupancy of the same fields. There may thus be prescriptive rights with respect to one portion of a cultivator's holding, and no such rights with respect to another portion.

11*th*.—Possession by any party, from whom the present occupant may have received his holding in the ordinary course of inheritance, will be calculated in the 12 years securing the tenant against summary ejectment.

12*th*.—Rule III —This rule determines the condition on which a ryot is to be restored to possession.

13*th*.—He will not be restored, if his occupancy has lasted less than one whole year.

14*th*.—He will not be restored, if he was ousted at the close of the agricultural year, and is also proved to be of less than 12 years' standing, and not to have any continuing right by lease or otherwise.

15*th*.—He will not be restored, if he was ousted at the close of a terminable lease, there not being proved any prescriptive right of occupancy independent of such lease (see close of para. 8.)

16*th* —He may or may not be restored, according to the discretion of the Court, even within the term of a lease, if he have violated, or attempted to violate, established usage or the conditions of the lease, as by building on the land, planting trees, &c. It will be competent to the Collector either to eject the cultivator for such acts, or to restrain him from their performance, as the condition of his renewed possession. But, ordinarily, a cultivator will not be restored to possession if he be found to have violated, or not to have fulfilled any material stipulations of his lease or tenure.

17*th*.—The cultivator (being of more than one year's standing) will be restored to possession in every case, in which dispossession was caused against his will, otherwise than at the close of the agricultural year.

18*th*.—The cultivator will be restored to possession wherever he is found to have been (otherwise than by terminable lease) in occupancy of the land, either personally or by descent, for a period not less than 12 years, and not to have justly forfeited his tenure under the circumstances above referred to in

paragraph 16, or where he is held (subject to the like rule of forfeiture) to own such a right in the land, as has been described in paragraph 9.

19*th*.—In case of sub-leases granted by a tenant, the sub-tenancy will, as respects the Zamîndâr, stand or fall with the tenure of the tenant who created it. As against the superior tenant, the sub-tenure, it is apprehended, will be ordinarily found to be on an avowedly temporary footing. But each case will be judged by its own merits, and if any where rights of sub-tenancy should be discovered of a more fixed character, they will be maintained by the Summary Court, in conformity with the general principles explained in this Circular.

20*th*.—Rule IV.—Requires no comment.

21*st*.—Suits under this Circular will be tried in every respect similarly to those at present heard for Ouster and Exaction. They will be entered in the Summary Suit Statements under the head of "Ouster." But in the annual administration reports, a statement will be given distinguishing the number of suits brought by the Zamîndâr against the ryot from those brought by the ryot against the Zamîndâr.

22*nd*.—Although the rights of permanent cultivators are in the Notification of Government, and in the present Circular, spoken of as implying solely a fixed and heritable possession, it is not to be inferred that cultivators can possess no other rights. The power of transferring his holding to another occupant—the original cultivator remaining responsible to the landlord—has been long admitted by the Government. The practice of permitting the cultivator to mortgage his fields, is reported to exist in various parts of the country. And wherever transfers of rights of occupancy, subject to the regular payment of rent to the proprietor, are acknowledged

in the practice of the people, they must be recognized by the Government and its officers.

23*rd.*—The Regulations nowhere define the rights of cultivator. They lay down rules for the treatment of certain classes not holding transferable right, but they do not pronounce that there are no classes of cultivators possessed of or capable of acquiring a transferable right.

24*th.*—It is to be understood that the Government is not opposed to the growth in the free course of private transactions of a transferable cultivating title, and no impediment should be thrown in the way of the admission by the Zamîndârs of such title, or of its tacit creation according to the wishes and interests of the parties concerned.

25*th.*—Finally, it is to be observed that the rules and procedure, relative to ejectment and recovery of possession, as now prescribed, do not in any way affect the question of the proper rate of rent, to which a cultivator, exercising a permanent right of occupancy, may be justly liable.

(Signed) W. H. LOWE,
*Officiating Secretary.*

NOTIFICATION.

HEAD QUARTERS.

*Revenue Department*, 17*th Sept.*, 1856.

No. 1678 A.—The Honorable the Lieut. Governor is pleased, under the discretion vested in the Government by Section, Regulation VII. 1822, to invest Collectors and Officers exercising the powers of a Collector, in the ceded and conquered provînces, with authority under that Section and under Section 14 of the same Regulation, and also under Section 3, Regulation IX. 1825, to invest the like Officers in the province of Benares, with authority to receive and determine summarily, subject to the limitation declared by Clause 3, Section 20, Re-

gulation VII. 1822, suits relating to disputed occupancy or possession between Zamîndârs and cultivators holding under them, render the following conditions and restrictions.

*2nd.*—When a Zamîndâr sues in the Revenue Court to eject a cultivator, the right of the Zamîndâr shall be enforced so long as the cultivator has not himself, or by descent, held possession for 12 years, without written terminable lease, of the field or fields of which it is proposed to dispossess him, or is not otherwise, from a well established usage of the District, or custom of the village, held to have a fixed and hereditary title to the occupancy of such fields, or of other fields of equal value in their place, or is not a tenant under an unexpired lease, the conditions of which have been duly fulfilled.

*3rd.*—Where a cultivator sues against dispossession within a year from the cause of action, he shall be restored, saving where the dispossession is shown to have taken place in due course of law ; or before the cultivator had been more than one year in possession ; or at the close of a written terminable lease, or where the occupancy has been of less than 12 years without lease. Provided that, in the last mentioned case, the ejectment of a cultivator shall not be allowed excepting at the close of the agricultural year, as defined in the next Rule.

*4th.*—At whatever period during the year a suit under Rule 2 may be adjudicated, no tenant shall be ejected, in execution of the decree passed in such suit, from land occupied by him for the purposes of cultivation, excepting at the close of the agricultural year ; that is, after the reaping of the Rabbî crop on such land, and before the 1st of July following.

By order of the Hon'ble the Lieutenant Governor, North Western Provinces.

(Signed) C. B. THORNHILL,
*Offg. Secy. to Govt. N. W. P.*

## CIRCULAR NO. 58.

*Dated 15th October 1856.*

*To all Commissioners (except Mûltân.)*

REVENUE.

(LAND COMPENSATION.)

Instructions for disposal of arrears that may accrue subsequent to submission of compensation statement for land taken up for public purposes.

In continuation of my Circular Docket No. 53, dated 11th June 1855, I have the honor to annex, for the information and guidance of your District Officers, an Extract Para. 2, of letter No. 3687, addressed by me on this date to the Officiating Commissioner of Mûltân, pointing out the mode in which they may most conveniently dispose of any arrears on account of lands taken up for public purposes, which may accrue subsequent to submission of the compensation return appertaining to the lands in question.

*Extract Para. 2 of a letter No. 3687, dated 15th October 1856, from the Financial Commissioner, to the Commissioner of Mûltân.*

*2nd.*—In reply I beg to state that, when compensation is sanctioned on account of such lands, a prospective reduction of assessment corresponding thereto is simultaneously sanctioned, so that if owing to non-receipt of the required sanction previous to the preparation of the Rent Roll of any year, the full demand shall have been entered in that document, the excess for that year may be most conveniently treated as a refund, and on a statement, in the form prescribed for refunds, being submitted to me, subsequent to the receipt of the general sanction, I will authorize the charge of the amount, which can then be either paid to the Zamîndâr, if already realized from him, or credited to land revenue if the demand have been suspended.

## CIRCULAR NO. 59.

*Dated 16th October 1856.*

*To all Commissioners.*

REVENUE.

(PENSIONS.)

Explanation respecting numbering of columns of annual pension statements.

Since the despatch of my letter No. dated 23rd ultimo, to your address, it has been brought to my notice, that the numbers of the columns of the combined Pension Statement, prepared in this office, differ from those of the District and Divisional Statements. As the former contains an additional column to show the name of District which is marked No. 1, so that the numbers of all its succeeding columns are one in advance of the numbers of the corresponding columns of the latter.

2.—When the above letter was written, the combined statement of this office was alone before me, and the numbers of its columns were those quoted in it. So that the meaning of a portion of my letter must have been unintelligible. I now annex a transcript* of the headings of the columns of the statement of this office, which will, I trust, make my meaning clear, and I much regret that the discrepancy should not have been discovered previous to the despatch of my letter above referred to.

## CIRCULAR NO. 60.

*Dated 17th October 1856.*

*To all Commissioners.*

REVENUE.

(BUILDINGS.)

Extraordinary charges on account of public buildings to be reported to the Chief Commissioner.

In continuation of this Office Circular No. 50, of the 19th ultimo, I have the honor to forward, for your information and guidance, copy of a letter No. 920, dated 4th current, from the Officiating Secretary to the Chief Commissioner, mentioning what description of extraordinary charges on

* Vide form published with Circular No. 17 dated 25th April 1856.

account of Public Buildings are to be reported under Rule XV. direct to this office for sanction.

No. 920.

*From Captain H. R. James, Officiating Secretary to the Chief Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated 4th October*, 1856.

REVENUE.

I am directed to acknowledge the receipt of your letter No. 423, dated 19th ultimo, requesting to be informed what description of "extraordinary charges" are to be included in the Rule which prescribes that references in regard to such expenditure are to be made to this office, and in reply to state that Rule XV. would appear to relate to public buildings alone, and by it Commissioners are empowered to expend, on their own authority, up to 500 Rupees in making ordinary repairs; every thing therefore connected with public buildings that cannot be called an ordinary repair, ought, in the Chief Commissioner's opinion, to be considered extraordinary.

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**CIRCULAR NO. 61.**

*Dated 27th October* 1856.

*To all Commissioners.*

REVENUE.
(TAKKAVI.)

Directs that in Quarterly Takkâvî Statements it be stated that the works, for which advances are required, have been com-

As the returns of Takkâvî advances frequently reach this office without specific mention of points enjoined in regard to the issue of such advances, I have the honor to request that it may be considered in future an invariable rule in the Deputy Commissioners' Offices of your Division, as well as in your

menced on, or that materials have been collected; and the the periods of repayment be also noted.

own, either to state in the column of remarks opposite each item, that the materials have been collected and the works commenced, or to subjoin a foot note to the statement, certifying generally to the same effect, or that measures have been adopted for ensuring the appropriation of the advances to the purposes indicated.

*2nd.*—It will also be convenient, where repayment has to be made by instalments, as is usually the case, that the period and amount of these instalments be stated in the column of remarks.

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**CIRCULAR NO. 62.**

*Dated 30th October* 1856.

*To all Commissioners.*

REVENUE. (TENTS.) A yearly return to be submitted of tents procured on purchase or indent.

As a report has been called for of the yearly amount expended in the Punjab, in the purchase of Tents, and some Officers have procured these by indent on the several magazines, the cost of which is not shown by the returns of this Office, I request that you will supply me with this information for your Division.

*2nd.*—It is desirable at the same time, that the return of purchased Tents prepared in this Office, be checked by those of Commissioners, and I request accordingly that you will have prepared, and forwarded to me, at your earliest convenience, a return for the official year 1855-56, prepared in the annexed form, in which should be included the returns of any Settlement and Revenue Survey Establishments, which may have been employed within your Division during the period indicated.

3*rd*.—Where the cast of Tents indented for may not be known as yet, to the Officers to whom they were supplied, it should at once be ascertained from the magazine indented upon, in order that this column of the return may be rendered complete; and it is to be understood, that every description of Tent is to be entered, including the Chhûldâris, or Pâls for guards, prisoners or establishments, Samiânas, &c., and that the Return is not to be limited to Tents procured by Officers for their own use, or for office accommodation.

RETURN of Tents procured by purchase or indent in the Division during the year 1855-56.

| Authority for the purchase with date and No. of letter. | Officer to whom supplied. | Description of Tent. | Cost. | From whence procured. | Remarks. |
|---|---|---|---|---|---|
| | | | | | |

Note.—If in any case, formal sanction has not been obtained, the cause of this should be briefly stated in the column of Remarks, in which should be noted likewise, where tents have been procured by indent, and why this mode has been preferred to purchase.

## CIRCULAR NO. 64.

*Dated 17th November 1856.*

*To all Commissioners.*

REVENUE. (RECORDS.)

**Rules for the systematic removal and periodical destruction of useless vernacular Revenue records.**

I have the honor to direct your attention to the Circular Order, No. 4, dated 4th March 1856, issued by the Sudder Board of Revenue, N. W. Provinces, with the consent of Government, and published in the *Agra Government Gazette* of the 25th idem, on the subject of the systematic removal and periodical destruction of useless Vernacular Records of the Revenue Department, the rules contained in which appear in the main to be as well suited for future adoption in the Punjab, as in the N. W. Provinces.

I request accordingly that you will enjoin upon your District Officers to adopt, from the present month, which commences the official half year, the arrangements therein described, so far as these are prospective, having fly leaves in the prescribed form prepared for all files that may, during the present month, be made over to the Record Office, and enjoining the same upon all Tahsîldârs.

The rules numbered 15 to 18, which are retrospective, I do not think it necessary for the present at all events formally to introduce into our Sudder Offices. The quantity of removeable papers filed with cases during the earlier periods of our administration is probably in most parts not very great; documents of an apparently immaterial character recorded during the first years after the acquisition of a new territory, are frequently found in after times to possess a value which does not attach to the records of latter periods, and at all events

as the examination of past records, with a view to discriminate the papers to be set aside, would be a difficult and laborious task, as well as one of some difficulty, it would involve an amount of extra outlay which is not likely to be sanctioned.

It will however be within your discretion, where past records have become inconveniently cumbrous, to have the same principles applied to them so far as circumstances may permit, and the means may be available, and at all events as regards Periodical Returns, Books of Record, Registers, and Accounts, there will be no difficulty in having these discriminated, which shall be removed at the expiration of the periods indicated in the Saddar Board's Circular.

As respects the Tahsîls, seeing that less provision has been made for the accommodation of records in them than in the Saddar Kacheries, and the number of Departments and importance of duties now entrusted to Tahsîldârs render it likely that embarrassment may ere long be experienced in regard to providing room for their records, it will no doubt be very desirable to have as many useless documents weeded out as possible ; and as their past files, of such description as are not forwarded periodically to the Saddar, have not yet, generally speaking, in all probability accumulated to a large amount, where they will usually be of a simple character, it may be hoped that the required discrimination of these records for past periods will not be found impracticable within a reasonable time.

*Order by the Sudder Board of Revenue, North-Western Provinces.*

*Dated Agra, 4th March* 1856.

CIRCULAR ORDER No. 4.

*To all Revenue Authorities in the North-Western Provinces.*

The following Rules for the systematic removal and periodical destruction of useless records of the Revenue offices,

Saddar and Mofussil, are issued with the sanction of Government :—

The records to be retained, or removed after stated terms, come under these two descriptions.

1*st.*—Cases relating to Mouzas, or subjects not relating to any particular Mouza, Mouzawar and Kuliyat.

2*nd.*—Periodical Statements, Books of Record Registers, and Accounts.

## THE SADDAR OFFICE.

The following Rules Nos. 1 to 14 are prospective, and will take effect from the 1st May 1856 :—

*First*, with regard to cases Mouzawar and Kuliyat.

1*st.*—Every misl of every case must have a fly leaf, even if the case be only a single application,* in order that the fly leaf may show each paper on the file while it remains intact, and also be the future record of such papers as may hereafter be removed.

* No. 44 of the departmental list, Appendix A. to Circular Order No. 9, 4th May 1855.

2*nd.*—In future the fly leaf of every misl must be drawn out in two columns, A. and B. Under A. will be entered papers to be retained permanently or for long periods ; under B. such as after a brief interval may be removed.

3*rd.*—When a case is disposed of, and made over to the Mohâfiz-khânah, the Record-keeper, or his Assistant, will separate the misl, according to the lists A. and B., into two Nathîs, but link the two Nathîs together, so that the Nathî of list B. may be detached at once when requisite.

4*th.*—Appendix No. I. contains, under A. and B., a specification of such papers as should be retained, or set apart for

early removal. Where papers are received not answering to the descriptions given, the departmental Moharrir should obtain from the Collector, or other Officer, before whom the case is pending, instructions for his guidance.

5*th*.—As a general rule, the Nathî B, in all cases, save where the Collector may deem exception advisable, shall be removed for destruction after three years from the date of the final order, the fact and date of such removal being written on the fly leaf, and attested by the signature of the Collector, his Deputy, or Assistant.

6*th*.—The Record-keeper will, in all cases, restore the file, after removal of the papers to be destroyed under the preceding rule, to its former place in the bastah.

7*th*.—Appendix No. II. contains the description of cases Mouzawar and Kuliyat, of which the papers in list A. are to be preserved permanently.

8*th*.—Appendix No. III. contains the description of cases, the record of which may be removed, subject to the provisos mentioned in certain cases, after the lapse of 12 or 3 years, always excepting the fly leaf, the Rubakârî, or paper containing the final order, and any deeds filed by parties, which must be invariably preserved. The rule 6 respecting restoration of the diminished file to its original place in the bastah, will be observed in such cases also, and the letter ج be inserted against each case in the fly index of the bastah.

9*th*.—The lapse of the terms prescribed in the above rules, and others of this Circular Order, is always to be computed to the close of the official year in which such term may expire.

*Secondly*, with regard to Periodical Statements, Registers, Books, and Accounts.

10*th*.—All such records must have appropriate lists in chronological order, and, as with the fly leaf in cases, these lists

will show what records are retained, and the fact and date of removal at the periods fixed, which shall be written and attested by the signature of the Collector, his Deputy or Assistant as above in rule 5.

11*th*.—It is impossible to particularize every variety of such records, as some bear different designations in different Districts, and many have been devised by Collectors from choice or local exigencies, but all such records belong to one or other of the following special departments:—

1*st*.—To the special departments of the Munshî-khânah or Daftar-khânah, Circular Orders, Permanent Registers, Roznamchahs Parwânah Bahîs, Books of Proceedings, and the like.

2*nd*.—To Treasury and Stamps now amalgamated under one Officer.

3*rd*.—To Accounts, Wâsil Baqî, Jama Kharch, Sîâhah, and Itlaq.

4*th*.—To Sayer, Abkârî, Drugs, Opium and Miscellaneous Sayer from forests, waste, quarries, &c.

5*th*.—To Nazârat, which includes all miscellaneous business not included in the foregoing.

12*th*.—Appendix No. IV. contains the description of these records, which must be permanently retained, and Appendix No. V. the general description of such as may be removed for destruction after the lapse of the terms prescribed, reckoning as above to the close of the official year.

13*th*.—Amongst a great variety of records there must be some involving reasonable doubt as to removal. Collectors should bear in mind, both with respect to the interests of Go-

vernment and the public, that the right course is to retain records, if there is any strong room for apprehending that premature destruction will be injurious to either.

14*th*.—A large discretion is conferred by these rules on the Collectors, but in dubious cases they should refer to Commissioner for advice and orders.

15*th*.—The principle of the foregoing rules is applicable to existing records from the earliest period to such a date antecedent to 1st May 1856, as will be found by computing retrospectively the terms prescribed in the appendices for temporary retention of those records which are eventually to be removed for destruction.

16*th*.—This latter operation should, however, be distinct from that of future annual clearance of records between May and September, which is to be effected by the Record-keeper and his assistants, agreeably to the above rules.

17*th*.—Some special assistance will be required to sort and separate the useless records of the bygone era; and as a large mass will be extricated and sold to the jails under existing rules, a fund will thus be formed to meet, at least in part, the expense of such extra establishment.

18*th*.—The Record-keeper should nominate and be responsible for the agency employed on this separate duty, and the Collector and his colleagues should divide amongst themselves the duty of supervision.

19*th*.—Appendices Nos. 2 and 4 describe sufficiently the records which should be preserved. It is important that all engagements, contracts, and rûbakârîs of settlement, whether in files or volumes, prior to the last revision of settlement, should be carefully preserved, with douls, registers of particular tenures, registers prescribed by law, and tabulated state-

ments of statistics, as well as all annual Financial returns. Such records will occupy little space, and furnish useful materials for reference.

20*th.*—Detailed settlements under Regulation IX. of 1833, or in the Benares Provinces under Section 3, Regulation IX. 1825, have been bound in most instances, and it is not necessary to detach papers deemed superfluous from these volumes.

21*st.*—The arrangement of records in these has in many instances been assimilated to that of the Collector's Office, and prospectively will be carried out in all cases. Misls will be arranged according to the same departmental headings, the Mouzawar and Kuliyat; and papers relating to Accounts or Mohâsibâh will be kept with separate lists in chronological order by the Wâsil Bâkî Navîs, Siâhah Nâvîs, Itlâq Navîs and Sale Amîn.

22*nd*—Appendix No. VI. contains the general description of records in the Tahsîl offices, which should be preserved, or retained for fixed periods prior to removal, and such of the latter description as are of older date than the prescribed terms, calculated retrospectively from the 1st May 1856, should be sorted and sent to the Saddar Station, care being taken by the Tahsîldâr to sign the lists to be retained at the Tahsîldârî of the records removed.

23*rd.*—The Tahsîldârs should be required, agreeably to Rule 15 for the Saddar office, to clear the old records in their offices, and should have credit for the amount value of their consignments, to pay the costs of extra establishment for the purpose.

## QANUNGO'S OFFICE.

24*th.*—The Qanûngô's Office is properly that of registrar of statistical information and custodian and scrutineer of village

papers, for the portion of the district under his charge. Appendix No. VII. contains the description of records which should be retained under his charge in those capacities, and removed for destruction with other records of the Tahsîl Office to the Saddar station.

## PATWARI'S OFFICE.

25*th*.—The records which the Patwârîs are ordinarily required to keep are noted in the margin. These papers he should retain in his own custody, and on mutations of office, they should be delivered over to his successor.

| | |
|---|---|
| The Settlement papers. | Buhee registry of contracts, &c. |
| Roznamchah. | Huftganah. |
| Buhee Khatah. | Buhee of orders. |

26*th*.—Appendix No. VIII. shows the papers which the Patwârî should retain, and such as he is to set aside after fixed terms. The latter description will be annually made over at the Tahsîldârî for transmission to the Saddar station, and a separate account of proceeds of sale of such papers will be kept as part of a general Patwârî fund.

(Signed) H. W. HAMMOND,

*Secretary.*

## ABSTRACT.

The Board with the sanction of Government prescribes rules for the periodical destruction of useless vernacular records in Saddar and Mofussil Revenue Offices.

# APPENDIX NO. I.

## CLASS I.—MOUZAWAR AND KULIYAT.

### CLASSIFICATION OF PAPERS OF A MISL OR FILE.

*A.—To be retained.*

1.—Original list of papers.
2.—Petition, Report, or paper the basis of the case.
3.—Answer of the opposite party.
4.—Petition of third parties.
5.—Reports of the Record Office or Munshí Khânah.
6.—Documents filed as exhibits by either party.
7.—Reports furnished from mofussil offices and annexures.
8.—Depositions taken in Court.
9.—Engagements to consent to arbitration.
10.—Awards of Arbitrators, of Razínâmahs.
11.—Maps and plans.
12.—Accounts filed by parties or by officials.
13.—Receipts for monies, or accounts or deeds returned.
14.—Rûbakârí, intermediate, noting points at issue.
15.—Final decision.
16.—Report of execution.
17.—Dakhalnâmah, or other papers acknowledging effect given to decision.

*B.—To be removed.*

1.—Petitions on points not material to the issue, such as intimating attendance of themselves or witnesses, praying for time, &c.
2.—Mukhtârnâmahs.
3.—Processes.
4.—Reminders and Explanations of delay.
5.—Papers relating to attendance of witnesses, diet money, &c.
6.—Chálâns of persons.
7.—Papers conducive to the progress of the case, not material to the points at issue.
8.—Petitions for copies, or Supplementary evidence.
9.—Receipts of proclamations issued, or certificates of issue.

# APPENDIX NO. II.

### DESCRIPTION OF CASES WHICH ARE TO BE PRESERVED PERMANENTLY.

*Mouzawar.*

1.—Detailed Statements.
2.—Revision of Settlement Records.

*Kuliyat.*

40.—Local Agency Wukf.
41.—Ditto ditto Nazúl.
43.—Proceedings of other Offices

3.—Summary Settlements.
4.—Jungles and waste grants.
5.—Boundary Cases.
6.—Adjustment of rents.
7.—Alteration of Jama.
15.—Sales of Estates.
18.—Mâlikânah, Adjustments of.
25.—Patwârî's Tahrîj No. III. and Khewat No. VII.
27.—Imperfect partitions.
28.—Complete Divisions.
37.—Rent-free Tenures, claims of Government.
40.—Local Agency Wukf.
41.—Ditto Ditto Nazûl.
42.—Appropriations of land for public purposes.
43.—Proceedings of other Offices relating to cases in this Appendix.
46.—Appeals and Revision of orders, ditto ditto.
47.—Appeals to Commissioner and Sudder Board ditto ditto.

relating to this Appendix.
46.—Appeals and Revision of orders, ditto ditto.
47.—Appeals to Commissioner and Sudder Board ditto ditto.
52.—Construction of Public Offices, plans and cost.
65.—Pensions and Charitable allowances of a permanent character.

# APPENDIX NO. III.

## DESCRIPTION OF CASES WHICH ARE TO BE RETAINED FOR 12 YEARS.

*Mouzawar.*

9.—Balances of former years.
11.—Revenue attachments, after termination.
12.—Sequestrations, ditto.
13.—Transfers of Pattîs, ditto.
14.—Farms of estates, ditto.
16.—Sale of rights and interests for Revenue demands.

*Kulliyat.*

34.—Suits by or against Government
42.—Appropriations for public purposes, other than of land.
43.—Proceedings of other offices excepting cases in Appendix No. 2.
44.—Single applications and petitions.

18.—Mâlikânah payments only.
22.—Summary Suits.
23.—Execution of Summary decrees.
24 —Sales of intermediate tenures.
25.—Patwârîs' Records, No. III and No. VII excepted.
26.—Patwârîs' Cases.
29.—Mâlguzârî mutations under decree of Court.
30.—Ditto ditto inheritance.
31.—Ditto ditto private transfers.
32.—Ditto ditto Registered deeds.
33.—Mâf mutations.
34.—Suits by or against Government.
35.—Attachments, Wâsilât and orders of Courts. From date of termination of attachment and execution of orders.
36.—Sales by order of Courts.
38.—Rent free Tenures, claim of individuals.
39.—Wards' estates, after termination.
43.—Proceedings of other Offices, except papers relating to cases in Appendix No. 2.
44.—Single applications and petitions.
45.—Applications for copies.
46.—Appeals and Revision of orders. Not relating to cases in Appendix No. 2.
47.—Appeals to Commissioner and Board, ditto.
45.—Applications for copies.
46.—Appeals and revision of orders. Exclusive of cases in Appendix No. 2.
47.—Appeals to Commissioner and Board, ditto ditto.
48.—Securities of Government servants from termination of compact.
49.—Complaint against Government servants.
50.—Appointments, promotions and removal of Government officials, of grades above 10 Rs. per mensem.
51.—Leaves of absence.
52.—Repairs only of public offices, see Appendix No. 2.
53.—Translations of letters and orders.
59.—Protections to Salt-petre manufacturers.
60.—Cases under the stamp laws.
63.—Registry of Recruits.
64.—Sepoys' Family Remittances.
68.—Village education.
69.—Examination of Native Officers.

*To be retained for 3 years.*

8.—Current Balances.
10.—Minor process of duress.
17.—Takkâvî advances from the date of final adjustment.
54.—Abkârî contracts and securities from termination of contract.
55.—Collections of Abkârî Revenue.

19.—Canal Rents.
20.—Refund of excess collections.
21.—Securities of farmers from termination of contract.
56.—Suits of Abkârî farmers against venders.
57.—Infringement of Abkârî laws.
58.—Miscellaneous sayer cases.
65.—Pensions for lives, after demise.
66.—Cases regarding deposits, after repayments or adjustments.
67.—Do. Inefficient Balance, ditto.
69.—Examination of Native Officers.

NOTE.—In all these cases the rule in paragraph 8 of always retaining the fly leaf, the Rûbakârî or paper containing the final order, and any deeds filed by parties must be strictly observed.

# APPENDIX NO. IV.

## CLASS II.—PERIODICAL STATEMENTS.

### BOOKS OF RECORD, REGISTERS AND ACCOUNTS.

### *Records to be preserved permanently.*

| | |
|---|---|
| All printed vernacular books, pamphlets, and manuals furnished by Government, manuscript Circular Orders and rules of practice.<br>Registers of permanent utility. | To be kept in the Mûnshî Khânah—see para. 21, Circular Order No. 9, dated 4th May 1855. |
| Statistical statements of area, population, products, &c.<br>Annual meteorological statements. | |
| Former District Registers of tenures, rent free or mâlguzârî, from the earliest period.<br>Tabulated Statements of former settlements, separate or in books.<br>Counterpart vernacular Statements of Settlements No. IV, V, and VI.<br>Statements showing original and subsequent modifications of local subdivisions and maps of the same. | To be kept in the Mohafiz Khâna, |

## TREASURY AND STAMPS.

Annual General Treasury Accounts in Vernacular from the earliest period.

Annual Goshwârah Statements, Do. Do. rendered to Accountant.

Annual Do. Do. Do. of Stamps, revenue and charges,

*Accounts.*

| | |
|---|---|
| Annual Parganahwâr Kist bandî. | Wâsil Bâqî Navîs. |
| Do. Jama Wâsil Bâqî. | |
| Do. Comparative Statement of Juma. | |
| Do. Buqâya Tauzî. | |
| Do. Takkâvî advances. | |
| Annual Account particulars of deposits. | Jama Kharch Navîs. |
| Do. Do. Do , of pensions. | |
| Do. Comparative Statement of Customs collections. | |
| Do. list of Establishment, Revenue and Judicial. | |
| Annual Abstract Statements of dastaks issued and Talabâna receipts and disbursements for the whole District. | Itlaq Navîs. |
| Annual Abkârî Settlement Statements. | Sayer Accountant. |
| Do. Jama Wâsil Baqî. | |
| Do. Do. Do., of miscellaneous sayer. | |
| Annual Abstract of processes issued and Talabana receipts and disbursements. | Nazir. |

NOTE.—The general rule in all these departments is, that any account or statement for a whole year, or collectively for a series of years, should be preserved.

# APPENDIX NO. V.

## RECORDS OF SPECIAL DEPARTMENTS TO BE REMOVED AFTER PRESCRIBED TERMS.

*Munshí Khânah.*

| | |
|---|---|
| Roznâmchas. | |
| Parwânah Bahís. | |
| Duplicates of Rûbakârís.—Except settlement. | |
| Abstract of parwânahs. | |
| (Parwânahjât-tâmílí) from Tahsíldârs. | |
| NOTE.—Misl band registers, statements of business and similar records of temporary interest, removable after the close of each year. | |
| *Treasury.* | |
| Monthly Treasury Account in Hindee. | After 12 years. |
| Duplicate receipts and Vouchers for payments. | |
| Receipt-book. | |
| Invoice of Remittances from interior or other districts, | |
| Cash Account with other offices. | |
| Other daily, weekly, and monthly memoranda except in treasuries are removable at Collector's discretion. | |
| *Stamps.* | |
| Registers of daily sales or sale books. | |
| Stamp Statements. | |

| | |
|---|---|
| *Accounts.* | |
| Monthly Jama Kharch. | |
| Pension Accounts. | |
| Law charges ditto. | |
| Deposit ditto receipts and repayments. | |
| Inefficient Balance Accounts. | |
| Sudder Siâhahs and Awârjas. | |
| Sudder Dâkhila Bahîs. | After 12 years. |
| Received from Tahsildârs. — Mofassîl Dâkhila Bahîs. | |
| Received from Tahsildârs. — Ditto Siâhas Babî Amdanî. | |
| Received from Tahsildârs. — Ditto Wâz Khâm. | |
| Received from Tahsildârs. — Ditto Monthly Jama Kharch. | |
| Takkâvî Accounts. | |
| Accounts of Estates under direct management. Annual Abstracts excepted. | |
| Qabzul Wasûl of Establishments. | |
| Sudder Monthly Tauzîs. | |
| Mofassîl Monthly Tauzîs. | |
| All Itlaq Accounts, Sudder and Mofassîl. Except Annual Abstracts. | After 3 years. |
| Abkârî, drugs, Maskirât, opium. Except Annual Abstracts. | |
| Miscellaneous Sayer. Except Annual Abstracts. | |
| Nizârat Lists of Establishment, Accounts of processes, Despatch book, | After 12 years. |

NOTE.—Other Miscellaneous Accounts and statements corresponding to the above, should be retained for the periods indicated, and then removed.

# APPENDIX NO. VI.

## RECORDS OF TAHSIL OFFICES TO BE RETAINED OR REMOVED AFTER PRESCRIBED PERIODS.

*To be retained.*

All printed books, rules of practice, &c.
All manuscript Circular Orders.
Registers of permanent utility. Appendix G, Circular Order 9, 4th May 1855.

Annual Qistbandî.
Annual Tauzî.
Annual Jama Kharch.
Other Annual Goshwârah Statements for the Tahsîl Division.

*To be removed.*

| | |
|---|---|
| Cases of any description, Mouzawar or Kulîyat entered in Appendix No. 3, which have been referred to Tahsîl Offices. | After 12 years or 3 years, as directed in Appendix 3. |
| Abstract of Parwânahs. | After 12 years. |
| Copies of Arzîs, | |
| Copies of Parwânahs. | |
| Price Current. | |
| Abkârî accounts and papers, (annual excepted). | After 3 years. |
| Miscellaneous Sayer, ditto ditto, | |
| Road Fund Accounts, ditto, | |
| All Itlaq Accounts, ditto, | |
| Lists of Establishments. | |
| Arz-Irsâls from Mâlguzârs, | |
| Ditto from Tahsîl Offices, | |
| Dâkhila Bahîs, | |
| Siâhah Bahî Amdanî, | |
| Wâz Khâm, | |
| Khateonîs, | |
| 15 days reports, | |

| | |
|---|---|
| Monthly Tauzîh, | After 3 years |
| Monthly Jama Kharch, | |
| Ijrâ Qurqî, | |
| Châlâns, | |
| Qabzul Wasûl, | |
| Diary of Watch and Ward, | |

# APPENDIX NO. VII.

## RECORDS OF QANUNGOS TO BE RETAINED OR REMOVED AFTER PRESCRIBED PERIODS.

*To be retained.*

All rules and orders of practice for guidance printed or in Manuscript.

The old Mowâzinah papers, or registers of mouzahs, under former Government.

Registers of Mouzahs for parganahs.

Lists of rent-free estates and parcels.

Kaifîyats Mashtîbah, or narratives of past histories of estates furnished to Settlement Officer.

Raqbahbandîs compiled for parganahs, or part of parganah.

Transfers from one to another parganah.

Registers of wells, jheels, tanks, &c.

Register of Nazûl buildings.

Lists of Mouzahs on margin of rivers.

Census papers.

Register of proprietary mutations, Patwârî's List No. VII.

Register of classified proprietary tenures.

Settlement Statements IV., V. and VI., area, Jama, and Rural Police.

*To be removed.*

| | |
|---|---|
| Register of Mâlguzârî mutations, | After 12 years. |
| Ditto of Patwârî's mutations, | |
| Ditto of Mâf mutations, | |
| Patwârî's papers No. III., Tahrîj, | |
| Siâhah, | After 3 years. |
| Khâteonîs, | |
| Qanûngos' reports of dastaks, | |

| | |
|---|---|
| Khâm Tahsîl accounts, from date of close,<br>Life pension certificates from date of demise,<br>Certificates of hypothecated property from expiry of contracts,<br>Patwârî's papers. Except Tahrîj No. III., and proprietary mutations No. VII. | After 3 years. |

# APPENDIX NO. VIII.

## PATWARI RECORDS TO BE RETAINED AND PERIODICALLY REMOVED.

*To be retained.*

Register No. III. Tahrîj and No. VII. Proprietary mutations.
Bahî Hidâyat.
Manuals furnished to Patwârîs.
These must be retained in the Patwârî's own custody.

*To be removed.*

| | |
|---|---|
| No. 1.—Jamabandî,<br>2.—Mîlân Khasrah,<br>4.—Jama Wâsil Bâqî,<br>5.—Jama Wâsil Bâqî Tahtsîl,<br>No. 6.—Jama Kharch,<br>Roznâmchah,<br>Khala Bahî,<br>Register Bah of contracts, engagements, &c., where kept up, | After lapse of 12 years. |

## CIRCULAR NO. 64.

*Dated 20th November 1856.*

REVENUE.

(PENSIONS.)

Commissioner authorized to sanction payment of arrears of pension for periods not exceeding a year.

Forwards copy of the following letter to Commissioners of the Punjab for their information :—

No. 5221.

*From G. F. Elmonstone, Esq., Secretary to Government of India, to Sir John Lawrence, K C. B., Chief Commissioner, Punjab, dated 17th October, 1856.*

FOREIGN DEPT.

In reply to your Officiating Secretary's letter, dated the 19th ultimo, No. 678, I am directed to acquaint you that the Governor General in Council is pleased to sanction the extension, to the Commissioners in the Punjab, of the authority for the payment of arrears of pensions for a period not exceeding 12 months, granted to the Commissioners of the N. W. Provinces by the Circular Order of the Sudder Board of Revenue of the 5th August last, No. 9, published in the *Agra Gazette* of the 2nd ultimo.

## CIRCULAR NO. 65.

*Dated 22nd November 1856.*

*To all Commissioners.*

REVENUE.

(TREASURY.)

Rules in regard to the amount of cash which should be retained in Tahsîl Treasuries.

I have the honor to draw your attention to Circular No. 18, dated 13th October 1856, of the Sudder Board of Revenue N. W. P., published at page 692 of the *Agra Government Gazette*, laying down rules in regard to the amount of cash which should be permitted to be retained in Tahsîl Treasuries.

*2nd.*—I beg you will be good enough to have these rules carried out throughout your Division, in such respects as the instructions hitherto issued from this office, respecting the exercise of a strict control over disbursements from Tahsîl and out-post Treasuries, may not sufficiently provide for.

*3rd.*—It may perhaps admit of doubt, where Tahsîls are remote from the Saddar Station, or their collections are very large, whether it will be possible to limit to Rs. 10,000, the maximum to be retained in the Treasuries of such Tahsîls, without entailing the provision of a great number of escort guards. But Rule 2 allows some latitude of discretion on this point, and in regard to it, or to any others, in which you are of opinion that the rules now pointed out cannot be carried into effect without inconvenience, or disarrangement of other measures, I request you will favor me with such suggestions as may occur to you.

*4th.*—The rigorous enforcement of Rule 4 is of the first importance. For experience has abundantly shown, that unless the Tahsîldârs, allowed to Tahsîl establishments, be vigilantly and constantly controlled, there will be the greatest liability to abuses of all kinds being introduced, and the public funds entrusted to these Tahsîldârs applied, to a greater or less extent, to their private speculations.

*5th.*—This class of persons have not sufficient interests at stake, to admit of any considerable sums being entrusted to their sole keeping with safety, and it is not fair even to the Saddar Treasurer, who furnishes security for them, that they should be allowed any discretionary control over the funds placed in their Thavîls. It is indispensable, therefore, that the Tahsîldâr be made practically to feel the reality of his joint responsibility, which cannot perhaps be more effectually secured, than by requiring him daily to satisfy himself that the entire balance is under their joint lock and key, and to report from time to time that he has done so.

*6th* —It is further indispensable, that the injunctions heretofore issued a gainst the exclusion, from the Tahsîl Returns, of any item whatever of receipt or expenditure, be carefully observed by them, and it will be well if they be required to certify, when reporting that they have examined the Treasure, that the Cash Balance Return shows the *bona fide* result of all monetary transactions conducted at the Tahsîl—whether they relate to Government or local Funds, *bona fide* receipts, or mere deposits, actual payments on account, or advances to be subsequently accounted for, or, in short, whatever their nature may be.

*Order by the Sudder Board of Revenue, North Western Provinces, dated Agra, 13th October* 1856.

*To all Revenue Authorities in the North Western Provinces.*

REVENUE.

*Present.*

E. A. Reade, Esq., senior Member, and W. Muir, Esq., offg. unior Member.

The Sudder Board of Revenue have been in communication with the officiating Accountant of these Provinces, regarding the irregularities and defalcations which have, from time to time, come to light in the Tahsîl Treasuries, and the following instructions are issued with the approval of Government.

*2nd.*—Ordinarily, when the Cash in any Tahsîl Treasury accumulates to Rs. 10,000, it should at once be called into the Saddar Treasury. When the revenue is coming in rapidly, immediately on the return of the guard who have taken a remittance to the Sâddar Treasury, a fresh remittance should be despatched, if the amount in the treasure chest should be found to be more than Rs. 10,000.

*3rd.*—The Tahsîldâr should submit a report weekly, certifying that he has himself counted the cash.

*4th.*—At the close of every day, the Tahsîldâr or Peshkar will be held personally responsible for satisfying himself, that

the cash balance is all under joint lock and key, and that it tallies with the accounts.

*5th*.—When pice or small coins are sent to the Tahsîldâr for circulation, the Collector should carefully examine the monthly returns, to ascertain that the money does not lie useless, but is really exchanged for rupees.

*6th*.—Wherever special instructions have been issued for the retention, in a Tahsîldârî, of any sum for the use of Executive Officers, Opium Agents, &c, the above rules will, of course, be modified to meet the circumstances of the case.

*7th*.—Collectors should themselves carefully observe all existing orders on the subject, together with the above instructions, and strictly enjoin the same on their Tahsîldârs.

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**CIRCULAR NO. 66.**

*Dated 24th November*, 1856.

*To all Commissioners.*

REVENUE.

(PRICE CURRENT.)

Sambhar salt to be included in future in price current.

Referring to my Circular No. 36, dated 19th July 1856, I have the honor to request that in future Sambhar Salt may be included amongst the articles shown in the monthly price currents of Districts, prescribed by Circular of the Board of Administration, No. 22, dated 24th July 1851.

## CIRCULAR NO. 67.

*Dated 25th November* 1856.

*To all Commissioners and Rev. Surveyors.*

REVENUE.

(LEAVE.)

Additional instructions in respect to grant of leave to Uncovenanted Government servants.

As the rules for granting leave to Uncovenanted Government Servants, (as published in the *Agra Government Gazette* of the 18th March last, and authorized by the Secretary to the Chief Commissioner's Circular, No. 17-663, dated 29th idem) and the preparation of the prescribed quarterly statements* of the same appear to be differently understood and acted on in each District, I have the honor to convey the following additional instructions in the matter, which I request may, for the future, be adopted, as regards officials of the Revenue Department.

*2nd.*—I.—Leave to Uncovenanted Officers receiving 100 Rupees and upwards, for six months and less, may be granted by the immediate Covenanted superior, but must be entered in the quarterly return submitted to this office.

II.—Leave to similar Officers, for above six months, can be sanctioned only by the Financial Commissioner, who will submit a quarterly report of the same to the Chief Commissioner.

III.—Leave to Uncovenanted Government officials, who receive *less* than Rupees 100 per mensem, for any period whatever, can be granted by immediate Covenanted superior and need not be entered in the quarterly statement, forwarded to this office.

* The submission of these have since been discontinued by Circular No. 3, dated 4th January 1859.

*P. S.*—The above directions do not apply to officials, whose nomination rests with the Chief Commissioner or Government, on whose behalf applications for leave must be submitted through this office, for the sanction of superior authority.

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**CIRCULAR NO. 68.**

*Dated 26th November* 1856.

*To all Commissioners, Revenue Surveyors, Settlement Officers and Director of Public Instruction.*

REVENUE.

(ESTABLISHMENTS.)

Applications for additional, fixed, or temporary Establishments to be submitted in annexed form.

I have the honor to annex a form of Statement received with a letter No. 5401, dated 29th October 1856, from the Secretary to the Government of India, Foreign Department, to the address of the Chief Commissioner, and forwarded by the Secretary of the latter with a letter No. 1064, dated 14th current, to my address.

*2nd.*—In these communications the Supreme Government and Chief Commissioner direct, that all future applications for sanction to any additional, fixed, or temporary establishments required, may be submitted in this form, without which the orders of Government will not be passed upon the application; and I request, accordingly, that this Rule may be invariably observed in making applications for establishments to which the sanction of the Supreme Government is required.

*TABULAR STATEMENT of Increase in the* _____

| Year. | Revenues. | | Charges. | |
|---|---|---|---|---|
| | Ordinary | Extraordinary. | Ordinary | Extraordinary. |
| | | | | |

| Extract from Foreign Department of Government of India. | Office to which the proposition refers. | Nature of Charges. | | Propo- | |
|---|---|---|---|---|---|
| | | | | Permanent. | |
| | | Present Scale. | Proposed Scale. | Increase per Month. | Decrease per Month. |
| | | Rs. A. P. | Rs. A P | Rs. A. P. | Rs. A. P. |
| | | | | | |

NOTE.—The Office Memo. of the Secretary to Government in the Financial of the _____ Establishment with the salary of each individual as it stood on _____ and should specify the other particulars, indicated by the headings of

*Department during the month of* _____

| Total. | | Net. | |
|---|---|---|---|
| Revenue. | Charges. | Surplus. | Deficit. |
| | | | |

| sition. | | |

## CIRCULAR NO. 69.

*Dated 29th November* 1856.

*To all Commissioners in the Punjab.*

I have the honor to request that you will in future submit your Quarterly Maafee Returns, according to the official year, with reference to the terms of my Circular No. 13*, dated 13th March 1856.

REVENUE.

(MAAFEES.)

Quarterly Maafee return to be submitted according to official year.

* Published with Settlement and Survey Circulars.

## CIRCULAR NO. 71.

*Dated 2nd December* 1856.

*To all Commissioners in the Punjab.*

I have the honor to annex, for your information, and for such application, as the circumstances of your divisions may permit; an extract paras. 2 and 3 of a letter No. 4,276, addressed by me on this date, to the Director of Public Instruction—on the subject of placing tahsili and halqabundi schools, in juxtaposition to patwaris' kutcherries.

REVENUE.

(EDUCATION.)

Relative to placing Tehsil and Hulqabundi Schools in juxtaposition to Putwaris' Kutcherries.

*Extract paras. 2 and 3 of a letter No. 4,276, dated 2nd December, from the Financial Commissioner, to the Director of Public Instruction, Punjab.*

I may take this opportunity of mentioning—that Mr. Prinsep, Settlement Officer of Sealkote, has been at great pains, in determining the locality within each patwari's circle of that district at which the patwari shall ordinarily reside; and carry

on his duties, and is prepared to make over a considerable sum, (I believe 6,000 Rs.) for the erection of kutcherries or offices, for those functionaries, in the localities in question.

*3rd.*—He is laudably desirous, that the tahsili or halqa-bundi school, and the patwaris' kutcherry may in every case be in immediate juxtaposition if not in actual connexion with each other. The latter buildings will, without doubt, become largely the resort of zemindars—so that our schools would probably acquire increased importance and popularity; from being thus partially associated. These schools should be the places, in which the first training of our future putwaris, will henceforth be acquired; and on every account, the suggestions and wishes of Mr. Prinsep, are in my opinion, well deserving of consideration.

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## CIRCULAR NO. 73.

*Dated Lahore, 19th December 1856.*

*To all Commissioners in the Punjab.*

REVENUE.
(BUILDINGS.)

Requests that when necessity for Tehsildari buildings arises no time may be lost in submitting the project for sanction.

Referring to my Circular No. 54, dated 27th September last, and previous correspondence, I have the honor to annex, for your information and guidance, an extract para. 2, of a letter No. 2,387 A., dated 12th current, from the Officiating Secretary to the Chief Commissioner, to my address, requesting that whenever a necessity may arise for the construction of Tehseeldari buildings, no time may be lost in submitting the projects, accompanied by the prescribed plan and estimate, for the approval and sanction of the Chief Commissioner.

*EXTRACT para. 2 of a letter No. 2,387 A., dated 12th December 1856, from the Officiating Secretary to the Chief Commissioner, to the Financial Commissioner for the Punjab.*

"With reference to the late submission of these pro-
"jects* I am to beg that works of this cha-
"racter may be reported from time to time
"when required, so that opportunity for full consideration and
"further enquiry when necessary may be afforded."

*For Tehsildari buildings.

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**CIRCULAR NO. 74.**

*Dated 30th December 1856.*

REVENUE.

(EDUCATION.)

Instructions for building village schools in connection with Putwaris' Kucherries.

Forward copies of the following documents to all Commissioners in continuation of Circular No. 71, dated 2nd instant.

*From the Director of Public Instruction for the Punjab, to the Financial Commissioner for the Punjab, dated Camp Umritsur, 16th December 1856.*

No. 180.

With reference to paragraphs Nos. 2 and 3 of your letter No. 4,276 of the 2nd instant, I have the honor to annex a copy of my letter No. 526 of this date, to Lieutenant Paske, Inspector of Schools.

2*nd*.—Mr. Prinsep spoke to me on the same subject some months ago. As we have no fund from which to build village school houses in Sealkote, I fear that all we can do at present towards aiding a scheme which I thought a very good one, is to place our schools at villages where Putwaris' offices exist, and hope to build in conjunction with the settlement officials hereafter.

3*rd.*—Most of the village schools in Sealkote, however, have been established already by the energy of Mr. Inglis.

No. 526.

*From W. D. Arnold, Esquire, Director of Public Instruction for the Punjab, to Lieutenant E. Paske, Inspector of Schools, 1st Circle, Punjab, dated Camp Umritsur, 16th December* 1856.

I have the honor to enclose copy of a letter from the Financial Commissioner to my address, No. 4,276 of the 2nd instant, and to request your attention to its 2nd and 3rd paragraphs.

2*nd.*—You are, I am aware, of opinion, that the Patwari's halquas cannot as a rule be taken as any guide with regard to our hulquabundi schools, and the short experience I have had disposes me entirely to agree with you.

3*rd.*—In Sealkote, however, the Patwaris' circles have been formed with peculiar regard to local convenience ; and I think you will find that several of the village schools instituted by Mr. Inglis are situated at the head quarters of a Putwari's circle.

4*th.*—In these cases the combination of the Putwari's office, and the village school in one building, as suggested by Mr. Prinsep, is very desirable—whenever we are able to build village schools at all. This will not be, however, till there is an accumulation of the One per cent. fund of the district. Mr. Prinsep's 6,000 Rs. will go some way, but the Settlement Officer if he builds the Putwari's office will expect us to build the school. At present there is little or no balance of the fund in Sealkote. It is the only district in which it has been spent from the beginning. At present, therefore, we can do nothing ; but my object in now writing is to bring the matter to your attention, and to suggest that in selecting sites for schools in Sealkote, where they have not been already selected by Mr. Inglis, you should give a preference to those villages which form the centre of a Putwari's circle.

No. 4,565.

*From the Financial Commissioner for the Punjab, to the Director of Public Instruction for the Punjab, dated Lahore, the 30th December,* 1856.

I have the honor to acknowledge the receipt of your letter No. 180, dated 16th current, on the subject of placing in immediate juxtaposition village schools and Putwari's Kutcherries—and in reply to state, that I consider it quite sufficient if the instructions issued by you be acted upon—and this object be kept constantly in view; as one which it is very desirable to secure, as far as circumstances may render practicable.

2*nd.*—More pains will doubtless be devoted in your department, to select appropriate sites for village schools, than can ordinarily be devoted by District officers; to determining the best positions for Patwaris' Kutcherries—and as there are I believe, but few places in which the latter have been as yet erected, it is very probable that in not a few instances; the selections made by your officers, for the sites of village or halqabandi schools; will serve hereafter as a guide, to determine the location of Patwaris.

# CIRCULAR ORDERS

ISSUED BY

# THE FINANCIAL COMMISSIONER

FOR THE PUNJAB,

DURING THE YEAR 1857.

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## CIRCULAR NO. 1.

*Dated the 3rd January*, 1857.

*To all Commissioners in the Punjab.*

REVENUE BUILDINGS.

Requests that when any buildings of the Revenue Department are included in a report, or return submitted to the Chief or Judicial Commissioner, an Extract of the same may be forwarded to this office.

As circumstances occasionally render it convenient to Commissioners to include Tahsil or other buildings appertaining to this Department; in their returns of proposed public buildings submitted by them either through the Judicial Commr., or to the Chief Commissioner direct, I have the honor to request that it may be considered an invariable rule, on such occasions, to forward to this office, for my information and for record; an extract of so much as relates to those buildings.

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## CIRCULAR No. 2.

*Dated 5th January* 1857.

*To all Commissioners except Leia and Peshawur.*

REVENUE.
(MAAFEES.)

Requests submission of a half yearly Statement of maafee tenures remaining for report.

Referring to my Circular No. 37, dated 22nd July last, respecting the number of cases of jagheer tenures and plots of rent-free land that remain for report in your division, I have now the honor to annex an

| | | | | |
|---|---|---|---|---|
| C.-S. States, | No. 280, | para. 5, | dated 10th Sept. | 1856. |
| T.-S States, | No. 310, | ,, 7, | ,, 4th October | 1856. |
| Lahore, | No, 356, | ,, 4 | ,, 26th August | 1856. |
| Jhelum, | No. 227, | ,, 2 | ,, 6th August | 1856. |
| Mooltan, | No. 220, | ,, 3 | ,, 14th August | 1856. |

extract para. * referring to your division from my letter No. 548, dated 17th ultimo, to the address of the Secretary to the Chief Commissioner, and copy of his reply No. 1,206, dated 29th idem.

*2nd.*—As desired by the Chief Commissioner I request that a further report extending up to the close of the past year may now be furnished to this office for the information of the Chief Commissioner, and that you will continue to furnish such reports half-yearly, until all the cases of this nature appertaining to your division, shall have been disposed of.

*3rd.*—I annex a form of return which was adopted by me in submitting my report to the Chief Commissioner, and as it appears convenient, I request that you will adopt it, when supplying the reports now called for:—

*STATEMENT showing number of Maafee cases remaining for report.*

| Name of Districts. | NUMBER OF CASES PENDING. | | | | Remarks. |
|---|---|---|---|---|---|
| | Required to be reported in English for orders of Government. | Proposed for release for lives of incumbents. | Undecided to which of the foregoing classes belonging. | Total. | |
| | | | | | |

## CIRCULAR NO. 4.

*Dated 21st January,* 1857.

*To all Commissioners.*

REVENUE

(ESTABLISHMENTS)

Instructions for submitting a two monthly Statement of decreases effected in Establishments permanent and temporary.

Referring to my Circular No. 70, dated 2nd ultimo, I have the honor to forward for your information and guidance a copy of a Government Resolution No. 5,550, dated 19th December last, received from the Officiating Secretary to the Chief Commissioner with his letter No. 42, dated 15th current, superseding that transmitted with my Circular above quoted, and request the compliance of yourself and the officers subordinate to you, in submitting a return within the prescribed period, and in the form herewith appended of the savings effected by the discontinuance of any establishments, either fixed or temporary.

P. S.—It will be observed that the 6th and 8th columns of the statement specify the Government of India as the sanctioning authority, from which, as well as from the tenor of the previous letter of Government, it is to be understood, that those establishments only are to be included in the returns, now called for, which have received the sanction of Government, to the exclusion of those contingent and temporary establishments which it falls within the competence of the Commissioners, or Judicial and Financial Commissioners to sanction.

*No.* 5,550, *Fort William, Financial Department, the* 19*th December,* 1856.

### RESOLUTION.

On the 20th June last, the several departments of the Government of India, and the local Governments were requested

to issue orders to the public officers under them to report for communication to this department the dates on which *temporary* establishments sanctioned for indefinite periods might be discontinued in order that the savings resulting therefrom might be exhibited in future in the general tabular statements compiled in this department for submission to the Honorable court.

It has now been found necessary in connection with a correspondence with the Honorable Court on the subject of decreases of establishments generally, to require from the several local governments and administrations, periodical returns of cases, in which establishments sanctioned in perpetuity also have been discontinued, as these statements when supplied will afford the means of exhibiting, in the general tabular statements above alluded to, the *real* increase and decrease of establishments, and on consideration it appears to the Right Honorable the Governor General in Council, that in prescribing a form in which the periodical returns shall be prepared by the local governments and administrations, it will be more convenient to adapt it to all cases of decrease of establishments, whether permanent or temporary.

His Lordship in Council, accordingly, directs that the annexed form of return be adopted in pursuance of the object stated in the preceding paragraph of this resolution, and in supersession of the order of the 20th June last cited above.

His Lordship in Council further directs, that the return in question be sent to this department within 15 days after the expiration of every two months, commencing from the 1st January 1857.

Besides the returns required from the local governments, the Civil and Military Auditors General, Fort William, will be respectively desired to submit similar returns, in like manner, of decreases in establishments under the government of India, Pay Abstracts of which are passed by them.

# FORM.

*STATEMENT shewing decreases effected in establishments permanent and temporary during the Months of January and February* 1857.

| Department. | Office. | Nature of Charge. | Decreases in Permanent Establishments. | Decreases in Temporary Establishments sanctioned for fixed periods. | Date when the Establishment was sanctioned by the Government of India. | Decrease in Temporary Establishments sanctioned for *unlimited* periods. | Date when the Establishment was sanctioned by the Government of India. | REMARKS. |
|---|---|---|---|---|---|---|---|---|
| | | | Per month | Per month. | | Per month. | | |
| Abkaree... .. .. | Supdt of Abkaree. &c. &c., | | | | | | | |
| Customs,... .. .. | Collector of Customs. &c. &c. | | | | | | | |
| Judicial... .. .. | Judge of Sudder Ameen of &c. &c. | | | | | | | |
| Revenue, .. .. | Commissioner of Depy. Collector of | | | | | | | |
| &c. &c. | &c. &c. | | | | | | | |

**CIRCULAR NO. 5.**

*Dated 24th January*, 1857.

REVENUE.

(SUMMARY SETTLEMENTS,)

Requests that half yearly Statements of Summary Settlements, effected for the periods ending 28th February and 31st August, be submitted.

Ordered that copy of the foregoing be forwarded to all Commissioners (except Commissioner of Trans-Sutlej States) for their information and guidance.

No. 273.

*From D. F. McLeod, Esquire, Financial Commissioner for the Punjab, to Major Edward Lake, Officiating Commissioner and Superintendent Trans-Sutlej States, Dated Lahore, 24th January* 1857.

I have the honor to acknowledge the receipt of your letter No. 13, dated 14th current, pointing out that the periods for which, and the dates on which, the half-yearly statements of Summary Settlements, are at present rendered, are somewhat inconvenient and anomalous, as lapses occurring previous to the 1st September of each year, are liable to assessment for the kharif or winter harvest of that year, while the return exhibiting them extends to the 31st of October, and will thus include the lapses of two additional months, which will be assessed from the rubbee only, a corresponding anomaly attaching to the return submitted for the period ending 30th April.

2*nd*.—You urge, if I correctly understand you, that the two half-yearly returns in question, be for the future submitted for the periods extending up to the end of August, and end of February respectively, instead of the arrangement at present in force, and you recommend that this alteration take effect from the 1st September 1856.

3*rd*.—You urge this course, for two reasons, first, because the above dates are those prescribed for determining the harvest, from which lapses shall be liable to assessment, so that all lapses entered in the return extending to the end of February 1857, will show the assessments made from the rubbee harvest of 1857 and 1858, and all entered in the return extending to the end of August 1857, the assessments made from the kharif harvest of the same year, thus securing a correspondence between the two returns and the two harvests of the year; secondly, because, as the yearly rent roll is made up, from the 1st May, the submission of the return of rubbee assessments for the period ending with February only, will allow two months for procuring sanction to the settlements previous to preparation of the Rent Roll in question.

4*th*.—I quite agree with you in thinking, that for the above reasons, the arrangement proposed by you will be an improvement, upon the practise heretofore followed; and I authorize you accordingly, to limit your next return to the period extending, to the end of February 1857. The succeeding half yearly return, will thus include the period from the beginning of March, to the end of August 1857, and the return following it, the half year from beginning of September 1857 to end of February 1858. This arrangement will in future be adhered to in supersession of the dates at present employed, and a copy of this letter will be circulated to other Commissioners for their observance in like manner.

5*th*.—As the great majority of Summary Settlements effected in the Punjab relate to the assessment of lapses, no further remark, is required, in respect to these. But as Summary Settlements have occasionally to be made, on other accounts, I think it necessary to point out, that in order to secure the advantages contemplated by you, the principle involved in the foregoing remarks must be extended to all cases of Summary Settlements whatever, so that the return up to February 1857,

shall show all assessments made from the rubbee harvest of 1857 and 1858, and that up to August 1857 all made from the kharif of the same year.

## CIRCULAR NO. 7.

*Dated 31st January, 1857.*

REVENUE.

(TREASURY.)

Instructions for taking security from subordinate shroffs in Government Treasuries.

Ordered that copies of the above documents be sent to all Commissioners for information and guidance.

*From Captain Hugh R. James, Offg. Secy. to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated the 12th January 1857.*

REVENUE.

I am directed to forward for your information and guidance copy of an extract from the proceedings of the Government of India in the Financial Department, No. 5,562, dated the 12th ultimo, on the subject of taking security from subordinate shroffs in the several Government Treasuries.

*Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council in the Financial Department, under date the 12th December 1856.*

Read again para. 58, of a despatch from the Hon'ble Court No. 1, of 1856, dated 9th January, noticing in paras. 172 and 173, of the report of proceedings for the 2nd quarter of 1854, relative to the deficiencies discovered in the remittances of treasure from Madras and Bombay, an order of this Government authorising the writing off to profit and loss of the deficiency in the remittance from Bombay, if not being recoverable as in the case of the deficiency in that from Madras, and sug-

gesting an assimilation of practice at Bombay with that prevailing at Madras.

Read again the financial order of the 19th March last, calling on the Governments of Bombay and Madras, and the Sub-Treasurer, Fort William, as to the practice of holding shroffs responsible for deficiencies, and the receipt of counterfeit coin.

Read again the report from the Government of Madras in letters No. 279 and 428, dated respectively the 13th June and 3rd September last.

Read again the letter from this Department to the Government of Madras No. 4,331, dated 29th September, requesting information as to whether shroffs are held directly responsible to Government for counterfeit coin, and generally for the due discharge of their trusts, or whether they render security to the head shroff.

Read the reply of the Government of Madras, No. 539, dated 6th ultimo.

Read the report from the Government of Bombay, No. 42, dated 29th April last, and the report from the Sub-Treasurer, Fort William, No. 64, dated 1st April last.

*Resolution.*—It being desirable that the practice of taking security from subordinate shroffs in the several Government Treasuries in India should be assimilated, the Right Hon'ble the Governor General in Council is pleased to rule that security shall be taken from subordinate shroffs, only in cases in which they are directly responsible to Government, and that in cases in which the khazanchie, or head cashier alone, is the party responsible to Government, it may be left to him to require security from the subordinate shroffs, or not as he may think advisable.

Ordered that a copy of the foregoing Resolution be sent to the Sub-Treasurer Fort William for information and guidance.

* Foreign Dept.
† Bengal.
Bombay.
Madras.
N. W. Provinces.
Eastern Settlements

Ordered also that a copy of the same Resolution be sent to the Department* and the Governments† noted in the margin, for information and guidance.

## CIRCULAR NO. 8.

*Dated 3rd February*, 1857.

*To all Commissioners, except Cis-Sutlej Division*

REVENUE.
(JAGHEERS.)
Instructions respecting the liability of holders of perpetual Jagheers for debts contracted by their predecessors.

I have the honor to forward for your information and guidance a copy of my letter No. 440, dated 29th September last, to the address of the Officiating Secretary to the Chief Commissioner and of his reply thereto, No. 96, dated 26th ultimo, with annexure, conveying the instructions of Government with regard to the liability of the holders of perpetual jagîrs, for debts contracted by their predecessors.

2*nd*.—This correspondence refers expressly to the jagîrs of the Cis-Sutlej States alone. But the circumstances of the perpetual jagîrs elsewhere in the Punjab are, in all essential particulars, analogous—and I request accordingly, that the instructions conveyed in the accompanying documents, may be observed in respect to all such jagîrs.

No. 440.

*From the Financial Commissioner for the Punjab, to the Officiating Secretary to the Chief Commissioner of the Punjab, dated Lahore, the 29th September*, 1856.

I have the honor to annex a copy of letter No. 2,931, dated 15th current, from the Judicial Commissioner, with enclosure

from the Officiating Commissioner and Superintendent Cis-Sutlej States—on the subject of jagîr estates being held liable for debts; after the decease of the incumbent, who has incurred the debt.

*2nd.*—I concur with Mr. Campbell in the opinion; that it is not desirable to allow the Civil Courts to become a means of transferring the perpetual jagîr lands of the Cis-Sutlej States—from the jagîrdar aristocracy to capitalists—a transfer which will doubtless take place to a large extent; and probably before the lapse of many generations, if every incumbent be allowed to encumber his holding at discretion.

*3rd.*—I recommend, therefore, that it be generally intimated, that henceforth, if the heir of a deceased jagîrdar refuse to become responsible for the debts of the latter; incurred subsequent to the issue of the notification, and refrain from appropriating any of his real or personal estate, apart from the jagîr, he shall be entitled to receive the jagîr, unencumbered. Though if he accept the inheritance entire, and appropriate the personal and real estate, as well as the jagîr, the proceeds of the latter will be held available during his incumbency, if necessary; towards the liquidation of those debts, as well as his remaining property.

*4th.*—As respects debts incurred previous to the issue of the notification; I would further recommend; with reference to the remarks of the Judicial Commissioner, that the Judicial authorities be permitted to exercise their discretion; as heretofore; in each case, and to determine, with reference to the conditions entered into, and all the circumstances attending it; to what, if any extent the proceeds of the jagîr shall be considered available, toward the liquidation of the debts, after the death of the party who has incurred, or has made himself responsible for them.

No. 96.

*From the Officiating Secretary to the Chief Commissioner of the Punjab, to the Financial Commissioner for the Punjab, dated Lahore, the 26th January, 1856.*

Revenue.

With reference to your letter No. 440 of the 29th September last, regarding jagîrs in the Cis-Sutlej States being held liable for debts after the decease of the incumbent who has incurred the debt, I am directed to forward copy of a letter from the Secretary to the Government of India, No. 109 of the 9th instant, conveying sanction to your proposals, with a proviso, however, that in regard to cases of debts incurred previous to the proposed notification, if the Judicial authorities, declare any portion of the revenues of the jagîr to be liable, the order shall not be carried into effect without the express sanction of the Chief Commissioner being previously obtained.

No. 109.

*From G. F. Edmonstone, Esquire, Secretary to the Government of India, to Sir John Lawrence; K. C. B., Chief Commissioner, Punjab, dated Fort William, 9th January 1857.*

Foreign Department.

I am directed to acknowledge receipt of your Officiating Secretary's letter, No. 779 of the 18th October, with the correspondence which accompanied it, referring for the consideration of Government, the question whether jagîr estates in the Cis-Sutlej States, should be held liable for debts after the decease of the incumbent who has incurred the debt.

*2nd.*—The Governor General in Council, I am desired to state, is of opinion, that the rule proposed by the Financial Commissioner in paragraph 3 of his letter, No. 440, dated 29th September 1856, and recommended by you, is quite equitable,

and that in practice it will have the effect of exempting a jagîr from liability for the debts of a deceased jagîrdar, inasmuch as the Revenue of the jagîr will not become liable, unless the person succeeding to it, appropriate as heir ; the personality of the deceased, and no man, it is presumed, will be so blind to his own interests, as to accept the personality if the value thereof be less than the amount of the debts of the deceased.

If, however, a jagîrdar at the time of his decease, should possess a proprietary right in any lands distinct from his jagîr, those lands of course, together with his personal property, would become liable for his debts. His Lordship in Council is aware, that such a contingency is not of probable occurrence, but it is well to guard against the above protective rule being converted into a means of relieving *real property in land* from an equitable liability.

3*rd*.—In reference to your suggestion that the Judicial authorities shall be allowed to exercise a discretion in determining to what extent the proceeds of a jagîr shall be liable for debts incurred previous to the proposed notification, after the death of the party who has incurred, or made himself responsible for them, His Lordship in Council is pleased to direct that in such cases, the Judicial order, if it declare any portion of the revenues of the jagîr to be liable, shall not be carried into effect until your express sanction has been previously obtained.

## CIRCULAR No 9

*To all Commissioners.*

*Dated 9th February* 1857.

REVENUE.

(DOCKETING)

Instructions for docketing letters sent to this office and their enclosures.

The mode of docketing letters addressed to this Office; has been heretofore that prescribed by the Circular of the late Board of Administration, No. 281, dated 15th June 1849. The form and method therein prescribed being for the most part, though not uniformly observed by Commissioners.

2*nd*.—The Circular in question, however, while it directed that the purport of the covering letter should be entered in the docket on its reverse, did not specify that this should be done, as respects enclosures for which a like arrangement appears no less necessary, and it did not expressly prescribe any rule, for District Officers, who might have occasion to address the Board direct—and these, in consequence, not unfrequently omit to enter any docket whatever on their letters.

3*rd*.—With a view to supplying the deficiency indicated on both these points, I have the honor to annex a revised form of dockets; which I request may be adopted in future—the purport of each enclosure to a letter or covering leaf; being invariably entered, though briefly, at foot of the docket of such enclosure.

——— 185 Dept.

*From*
THE COMMR. & SUPDT.

Dated———

Received,———

No.——

*English Enclosures.*

*Persian Enclosures.*

Form of docket for a letter from Commissioner and Superintendent to Financial Commissioner.

*N. B.—This and the other dockets are not to be on a separate quarter sheet of paper, if the back of the letter has a clear space left to write it on.*

In reply to No.——dated——
(*or* " with reference to
*or* " in continuation of ")

——— 185 Dept.

*From*
THE DEPUTY COMMR.,

Dated,———

Received,———

No.——

*English Enclosures.*

*Persian Enclosures.*

Form of docket for a letter from Deputy Commissioner to Financial Commissioner.

In reply to ———

states that &c. &c.

In a letter No. dated

*From*

COMMR. AND SUPDT.

*To*

FINL. COMMR.

*for the Punjab.*

Form of docket for an enclosure.

*If it is a return, schedule, or statement, its purport should be given below.*

——— 185 Dept.

*From*

COMMR. AND SUPDT.

*To*

FINL. COMMR., PUNJAB.

Dated,———

Received,———

No.——

Form for submitting letters, &c., under docket.

Submits for orders copy of letter from———on the subject of———
and recommends &c. *(If in reply to, or in continuation of, any previous communication, the reference should invariably be given.)*

A. B.,
*Commr. and Supdt.*

## CIRCULAR NO. 10.

*The 10th February* 1857.

*To all Commissioners.*

REVENUE.

(TUCCAVEE.)

Instructions for preparation, submission and disposal of applications for Tuccavee.

I have the honor to forward herewith for distribution to your District Officers, for their guidance, and for record in your own office; 7 printed copies of the documents noted in the margin regarding the mode in which applications for Tuccavee advances are to be disposed of.

1.—Letter from Officiating Commissioner of Lahore Division, No. 171, dated 2nd May 1856, with proposed Circulars to Deputy Commissioners regarding Tuccavee advances.
2.—Extract Paras. 2 to 9 of letter from Judicial Commissioner to Officiating Commissioner of Lahore, No. 4234, dated 29th November 1856
3.—Officiating Commissioner's reply No. 512, dated 6th ultimo.
4.—English exemplar of form of which a Vernacular translation is to be filled up by Tehseeldar or other subordinate Officer required to report on an application for Tuccavee advance.
5.—Urdu translation of the foregoing.

*2nd.*—I request that in future the Vernacular form of which an exemplar accompanies may be invariably employed in the mode indicated by Lieutenant Colonel Clarke in the accompanying proposed Circular, and when filled up by the reporting officer, that it may be filed with the Vernacular record after the District Officer's order has been recorded upon it.

*3rd.*—With reference to the remarks made by Lieutenant Colonel Clarke, in regard to the preparation of Touzees of Tuccavee advances, I request that you will see that these Touzees are regularly kept up by all Tehseeldars within your Division, and that the Dakhilahs furnished, as well as the entries in the Tehseel accounts, exhibit the name of the person on whose behalf each payment is made.

*4th.*—I have further to request that the annual forms B. and C. which accompanied the Sudder Board of Revenue Circulars No. 5, dated 2nd March 1855, published in the *Agra Government Gazette* of the 20th idem, may in future be submitted by Deputy Commissioners to Commissioners at the close of each official year as in the Punjab. Tuccavee advances are ordinarily sanctioned by Commissioners; the submission of these documents to this office will not be necessary. The form No. XIX. at present in use; being sufficient. But should a remission in any case be required, a supplementary report prepared in the form marked C. in the Board's Circular, should be annexed to the above Return No. XIX. for those advances only, which it may be proposed to remit in whole or in part.

*5th.*—Exemplars of the above forms B. and C. have been supplied to the Manager of the *Lahore Chronicle Press*, and they will bear the Press Nos. 83 and 84 respectively.

No. 171 OF 1856.

*From Major John Clarke, Officiating Commissioner and Superintendent, Lahore Division, to D. F. Mcleod, Esquire, Financial Commissioner for the Punjab, dated Lahore, 2nd May*, 1856.

REVENUE.

I have the honor to submit copy of a Circular, which, if approved of by you, I propose issuing to the District Officers of this Division, on the subject of the grant of Tuccavee advances, the preparation of the statements of application, the periods of repayment, &c.

CIRCULAR No.—OF 1856.

*From Officiating Commissioner and Superintendent, Lahore Division, to Deputy Commissioners, Lahore Division, dated Lahore, the 2nd May*, 1856.

REVENUE.

The form prescribed for submitting applications for Tuccavee, does not show the name or names of the applicants, it does not specify the par-

ticular well or other work to which the Tuccavee is to be applied, nor does it show the proprietary interests or rights of applicants in the well: there is indeed a column for remarks, but to engross the above information in that column would be but to encumber it; and practically, the remarks made by Deputy Commissioners in this column, are confined to their opinion of the advisableness of the grant applied for.

2*nd*.—The vernacular application is often scarcely more explicit; it is usually referred to the Tehseeldar for report, and returned with his opinion; but without a careful detail of the names and interests of the applicants. The consequence is, that disputes frequently arise thereafter among the parties to whom the Tuccavee granted is really chargeable; and thus summary suits arise, and heart-burnings are produced.

3*rd*.—With a view to accuracy and uniformity of record, and to obviate, as much as may be, the inconvenience which the want of this, may, and I think, does occasion, I beg that, on the receipt of a petition or application for Tuccavee, you will cause to be appended thereto, a printed blank form, specimen of which accompanies; this must be filled up by the Tehseeldar, or other Officer whose opinion may be called for as to the propriety of the grant it will be filed with the vernacular misl, and thus attested—and if the grant be made, will afford a ready and reliable record in cases of dispute.

4*th*.—Dakhilas given for Tuccavee should specify the name of payers in detail.

5*th*.—Of course it is to be understood that the specification of parties directed, does not alter the hypothecation of the whole property, for the liquidation of the entire advance.

6*th*.—I believe that Touzees of Tuccavee are not uniformly maintained in all districts. I request that in each District

should such Statements not have been regularly submitted, you will direct their preparation from the 1st May.

I take this opportunity of calling your attention to the Circular of the Sudder Board of Revenue N. W. P., No. 5, dated 2nd March, 1855, which leaves a liberal latitude for the term of repayment, and even the extension of the original term, in instances of proved disaster ; to omit attention to the point referred to, is to cripple, rather than assist the recipient of the advance. Generally speaking a full year should elapse, before the 1st instalment be demanded. I am sure I need not advert to the inexpediency of issuing a single dustuk for the realization of Tuccavee, except in very rare and special cases.

*Extract paras. 2 to 9 of a Letter No. 4,234, dated 29th November, 1856, from Financial Commissioner for the Punjab, to Officiating Commissioner and Superintendent, Lahore Division.*

2*nd*.—" The spirit and object of your proposed Circular are, I think, excellent, and the whole of it has my assent. I have, not myself been aware of disputes arising, in regard to the amount of re-payment, demandable from each participator in a work, for which Tuccavee is granted, but you doubtless speak from experience, in stating that they are not unfrequent. There must at all times be a liability to their occurrence, and it will be a very judicious measure, to guard as much as possible against this.

3*rd*.—When prescribing, however, a form to be filled in by the functionary directed to report upon the application, it will, I think, be well to render it more complete, than that which accompanied your letter, so that it may include all the information which he will be expected to supply, I would accordingly suggest the form of which an exemplar is annexed, and I would prescribe that it be filled in by the Putwaree of the village to which the work appertains.

*4th.*—I quite concur with you, in regard to the expediency of allowing a full year to elapse, before re-payment of any portion of the advance is required, as prescribed by the Sudder Board of Revenue, in their Circular of the 2nd March, 1855, to which you refer. The limit of three years laid down in that document, as that beyond which the instalments shall not, save in especial cases, extend has not, that I am aware of, been explicitly laid down for the Punjab; but it will probably be expedient to observe it as a general rule.

*5th.*—Where good cause can be assigned however, why this rule should not be enforced, this period may be somewhat increased, and I quite agree with you in the opinion, that in instances of proved disaster, an extension with your sanction, even of the terms originally prescribed for re-payment, will be far preferable to the adoption of harsh measures of coercion the resort to which in cases of this description, must always be peculiarly inappropriate, unless absolute and deliberate bad faith or fraud can be established against any or all of the parties concerned.

*6th.*—The further rule prescribed by you, that the names of the parties making the payments, are to be entered in detail, in the Dakhilas is, without doubt, judicious and proper; and it should apply likewise to the Tehsildar's Siaha and Khuteoni.

*7th.*—I have been surprised to observe the remark made in the 6th para. of your proposed Circular that you believe Touzees of Tuccavee, are not uniformly kept up or submitted; but I presume you refer simply to the non-observance of a prescribed form of report; as unless a detailed account of all Tuccavee advances, collections and balances be regularly kept up in a District Office, the requirements of the department of account could not be complied with, nor the yearly Form No.

XIX. prescribed for the Punjab, be correctly and punctually submitted.

8*th*.—The form of Touzee for Tuccavee advances was prescribed by the Sudder Board of Revenue, in their Circular Order No. 6, dated 21st May, 1847, re-published at page 342 of the directions for Collectors. "That given in their Circular of the 2nd March, 1855, above referred to, is identical with it save that the former was first intended to be submitted quarterly and then half-yearly, while the latter is an annual form only. This latter period, I should consider sufficient.

9*th*.—I request that you will inform me, in reply to this, whether you consider the annexed form suitable, and the introduction of such a form advisable. If so, I shall feel obliged if you will, at the same time, note any modifications which you would suggest in order that after the form has been definitively determined upon, it may be translated for general circulation."

## No. 512 OF 1855-56.

*From Lieut.-Colonel J. Clarke, Offg. Commr. and Supdt., Lahore Division, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Camp Goordaspoor, 6th December, 1856.*

REVENUE.

In reply to your letter No. 4,234, dated 29th ultimo, I have the honor to state that the form of application for Tuccavee prepared by you, seems unexceptionable, and its introduction advisable: the form submitted with my letter for your approval, was only intended to show details of shares, and thus the retention of the present form in use would have equally been necessary: by the form proposed by you, a single document will suffice. I beg to suggest that in column 1, the jumma of the village be given as well as its name.

2*nd*.—With reference to your para. 7, I should explain that my remarks on Touzees for Tuccavee, were intended to refer to Tehseels only. I had reason to believe from my experience that a regular monthly Mouzawar Tabular Touzee, was not uniformly kept up, as I think it should be for ready reference, and the easier compilation of the District returns. As a District Officer, I have always kept up the half-yearly return of Tuccavee realized, and have found it useful to do so, though a yearly submission to your office would seem sufficient.

FORM to be submitted by Tuhseeldar or other Officer, when

Deputy Commr.'s

| Name of village and Taluqa with Jumma of village. | Nature of work contemplated with No. and name in the Jumma-bundee, of the field in which situated or other specification by which to identify its locality. | Work when to be completed. | Probable entire cost of the work and advance applied for. | Amount of advance recommended to be granted. | *Arrangement proposed for repayment.* | |
|---|---|---|---|---|---|---|
| | | | | | Date of each instalment. | Amount. |
| | | | Entire cost.<br>Rs. A. P. | | | |
| | | | Advance applied for<br>Rs. A. P. | | | |

Signature or mark of one at least of the applicants.

*Remarks by*

*Note.*—The points which the Officer will here have to certify, are.—1st, and likely to be beneficial, explaining his reasons, if it differ from the sufficient.—3rd, that he has satisfied himself that the application is bona fying their nature and how he has satisfied himself, whether by personal names, and share of each individual, to be correct.

Signature of Tuhseeldar or reporting Officer.

reporting on an application for a Tuccavee advance for orders.

| Specification of Security furnished for repayment of advance. | Names of all the parties associated in the undertaking. | Share of each in the work. | Amount of proposed advance chargeable to each individual. | REMARKS. |
|---|---|---|---|---|
| | | | | |

Signature of Putwaree of the village.

*Reporting Officer.*

that he considers the amount proposed in the above, to be really necessary amount applied for.—2nd, that he considers the security tendered to be fide, and that preparations have been made for carrying on the work, speci- inspection or otherwise.—4th, that he has ascertained the above entry of

D. F. McLEOD,
*Financial Commissioner for the Punjab.*

## CIRCULAR No. 11

*Dated 13th February*, 1857.

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*To all Commissioners except Cis-Sutlej States.*

REVENUE.

(MAAFEES.)

Requests that in submitting cases of rent-free tenures for orders should the holders have other similar holdings, the value and position of them, and orders passed in regard to them, may be stated.

I have the honor to annex an extract para. 2 of a letter No. 122, dated 7th current, from the Secretary to the Chief Commissioner to my address, and request that in future, as directed therein in all Registers of rent-free holdings prepared for submission to Government, where an individual or an institution holding a grant recorded therein, may possess, one or more other grants besides it—the extent and value of such grants; and the purport of my orders issued in regard to them; may be invariably stated in the column of remarks.

*Extract para. 2 from a letter No. 122, dated 7th February 1857, from Captain H. R. James, Officiating Secretary to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner for the Punjab.*

Para. 2.—I am also to point out that in cases 4 and 15 of this register, allusion is made to other grants enjoyed by the incumbents. The Chief Commissioner desires to be informed of any orders which may have been passed regarding those grants; and in similar cases this information must invariably be supplied.

## CIRCULAR NO. 13.

*Dated 23rd February* 1857

*To all Commissioners except Commissioner of Lahore.*

I have the honor to forward for your information, and for distribution to the District and Settlement Officers of your Division, printed copies of the documents, noted in the margin, on the subject of grants of land to individuals who sink wells, plant groves, or undertake other public works—calculated to be useful to travellers, or to the community at large.

REVENUE.
(LAND.)

Instructions for grants of land to individuals who sink wells or plant groves or undertake other public works calculated to be useful to travellers.

1.—My letter No. 280, dated 3rd August 1855, to Secy. to Chief Commissioner.
2.—Letter of Mr Temple, to Secy. to Govt. of India, No. 616, dated 22nd idem.
3.—Reply from Secy. to Govt. of India, to Chief Commissioner, No. 3296, dated 11th September 1855.
4.—Letter from Secy. to Chief Commissioner to my address No 818, dated 29th idem.
5.—Extract Para. 23 of a despatch No. 43, dated 12th Nov. 1856, from the Hon'ble the Court of Directors.
6.—Letter from Offg. Secy. to Chief Commissioner, No. 112, dated 2nd current, to my address; transmitting the foregoing extract.

No. 280.

*From D. F. McLeod, Esq., Financial Commr. for the Punjab, to R. Temple, Esq., Secretary to the Chief Commissioner, Lahore, dated Lahore, the 3rd August,* 1855.

REVENUE.

I have the honor to forward copy of a letter No. 151, dated 1st May, 1855, from the Deputy Commissioner of Goojranwalla, to the address of the Commissioner and Superintendent Lahore Division, submitting an application in behalf of Azeem Khan, Jemadar of Mounted Police, to be allowed to hold a plot of ground, rent free, in the estate of Jhundiala Gherkim, on condition of his sinking a well and planting a grove.

2*nd*.—I have ascertained that the land applied for is uncultivated and unassessed, and that it is situated about 100 yards distant from the road from Skekhobpoora to Hafzabad. Its extent is about twice as much as is supposed to employ one pair of bullocks, but, practically, one pair of bullocks is not sufficient for keeping up irrigation from a well, and as the expense of sinking a well at the spot proposed, will be considerable, and the applicant will not, it is said, consider it worth while to make the well, should a moiety only of the land applied for be granted, I would suggest a modification in the present case, of the provisions of Circular 15 of 1852, and would recommend for sanction, that on condition of Azeem Khan's planting and keeping up a grove, covering not less than two acres, and digging and keeping in repair a substantial well, ten acres of uncultivated ground be granted to him rent free, for 20 years, and after that 5 acres in perpetuity, so long as the well and grove are kept up in the manner and to the extent described above.

## No. 616.

*From R. Temple, Esq., Secretary to the Chief Commissioner, to the Secretary to Government of India, dated Lahore, the 22nd August, 1855.*

REVENUE.

I am directed to submit copy of a letter from the Financial Commissioner, recommending the grant, rent free, of some 10 acres of ground hitherto uncultivated, to Azeem Khan, Police Jemadar, for 20 years, on the condition of his planting a grove of 2 acres, and digging a well, near a highway, and one half (*i. e.* 5 acres) in perpetuity, so long as the grove and well be kept up. Under existing rules, the Chief Commissioner is competent to sanction the grant for 20 years, but the perpetuity portion of the grant requires the sanction of Government, which the Chief Commissioner accordingly solicits.

2*nd*.—The Chief Commissioner believes it to be very desirable, that such individuals as Azeem Khan, should be encouraged by grants of this nature. It is better to encourage individual enterprise than to plant trees by the direct agency of Government; the principle has been already sanctioned, and its operation is undoubtedly conducive to the planting of the bare road sides of the Punjab. The Chief Commissioner would therefore recommend, that he be authorized to confirm these grants, not exceeding 20 acres, to individuals for indefinite periods, or in perpetuity, conditionally on the plantation and maintenance of groves and wells on the margin of the high roads.

No. 3296.

*From J. W. Dalrymple, Esq., Officiating Under Secretary to the Government of India, to John Lawrence, Esq., Chief Commissioner of the Punjab, dated Fort William, 11th September* 1855.

Foreign Department.

I am directed to acknowledge the receipt of your Secretary's letter No. 616 of the 22nd ultimo, submitting the recommendation of the Financial Commissioner for the grant, rent free, of some ten acres of ground, hitherto uncultivated, to Azeem Khan, Police Jemadar, for 20 years, on the condition of his planting a grove of 2 acres, and digging a well near a highway, and one-half this land in perpetuity, so long as the grove and well be kept up.

2*nd*.—In reply, I have the honor to convey to you the sanction of the President in Council to the grant in perpetuity, of 5 of the 10 acres of land, which, under the existing rules, you are competent to grant to Azeem Khan for 20 years.

3*rd*.—With respect to the recommendation contained in the 2nd paragraph of Mr. Temple's letter, I am directed to state, that the President in Council is of opinion, that in all such cases when it is deemed expedient to assign lands in perpetuity, it is desirable that a reference should be made to Government on the subject.

No. 818.

*From R. Temple, Esq., Secretary to the Chief Commissioner for the Punjab, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated Lahore, the 29th September, 1855.*

REVENUE.

In reference to your letter No. 280 of the 3rd ultimo, regarding the rent-free grant of an uncultivated plot of ground, subject to certain conditions, to Azeem Khan, a Jemadar of the Mounted Police, I am directed by the Chief Commissioner to forward, for your information and guidance, copies of my letter to Government No. 616, dated 22nd Augt. last, and of the Government reply No. 3296, of the 11th instant.

*2nd.*—You will perceive that the Supreme Government have been pleased to sanction the grant of 5 acres in perpetuity to Azeem Khan, and as regards the whole plot of 10 acres, the Chief Commissioner authorizes the grant of the land, rent free, to the Jemadar for 20 years; but, I am to add, that the conditions on which the grant was solicited must be carefully and faithfully adhered to by the grantee.

*3rd.*—I am to add, that if many applications of this nature should be made, they might be submitted either quarterly or half-yearly, or at all events in batches, so that attention may not be distracted by isolated cases, and the Chief Commissioner will be prepared, according to circumstances, either to authorize the grants, if within his own competency, or solicit the sanction of the Supreme Government.

*EXTRACT from a Despatch from the Hon'ble the Court of Directors, in the Political Department, No. 43 of 1856, dated 12th November.*

85-88. Grant of land to Azeem Khan Jemadar, on condition of planting a grove, &c.

*23rd*—We observe with pleasure, the encouragement given to individual members of the community, who render public service by useful works on improvements, and we approve of your intention to make, from time to time

rent-free grants of uncultivated land, to such public benefactors as those who plant trees or sink wells on the borders of the highways, to be held in perpetuity, or for so long as the works on account of which they are granted, are kept up by their successors.

No. 112.

*From Captain H. R. James, Officiating Secy. to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated Lahore, the 22nd February* 1857.

REVENUE.

In reference to my letter and its enclosures, No. 818 of the 29th September 1855, I am directed to forward, for your information, copy of an extract, from a despatch from the Hon'ble Court of Directors, No. 43, dated 12th November 1856, approving of the grant of land to Azeem Khan Jemadar.

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**CIRCULAR No. 14.**

*Dated Lahore, 25th February* 1857.

*To all Commissioners.*

REVENUE.

(LINSEED.)

Points out that the value of linseed intended for the European market will be materially enhanced if freed from mustard seed and other foreign substances.

Para. I.—I have the honour to annex, for your information, a copy of a letter No. 4,878, dated 10th December 1856, addressed by the Bombay Government to the Chief Commissioner of the Punjab; on the subject of linseed grown in, and exported from, this province; and by desire of the Chief Commissioner, request that you will have measures taken for intimating to the growers of linseed generally; that the value of that article; when intended for export to European Markets; will be mate-

rially enhanced; by the adoption of arrangements, for freeing it from mustard seed, and other foreign substances.

No. 4878 OF 1856.

*Territorial Department, Revenue, to the Chief Commissioner in the Punjab.*

I am directed to inform you that the Chamber of Commerce at this Presidency, to whom a copy of your Officiating Secretary's letter No. 1062, dated the 14th ultimo, and of its accompaniment was communicated, have intimated that the quantity of the Punjab linseed is little inferior to that produced in this Presidency, but it is very largely mixed and adulterated with mustard seed, which, it is stated, is apparently grown with it.

2*nd*.—The Chamber have therefore suggested, that it should be made known to the cultivators of Linseed in the Punjab, that the market value of the linseed would be materially enhanced, were it more free from the admixture of other seeds.

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**CIRCULAR NO. 15.**

*To all Commissioners.*

*Dated Lahore, the 2nd March* 1857.

REVENUE.
(EDUCATION.)
Relative to the education of Burkundazes and other inferior Government servants at Tehsili Schools.

I have the honor to forward herewith for your information, and for distribution to the several District Officers of your Division, printed copies of a letter No. 711, addressed by me on this date to the Director of Public Instruction, on the subject of establishing classes at Tahsili schools for the instruction in Urdû of Burkundazes and other inferior Government servants.

No. 711.

*From D. F. McLeod, Esquire, Financial Commissioner for the Punjab, to W. D. Arnold, Esquire, Director of Public Instruction for the Punjab, dated Lahore, the 2nd March, 1857.*

I have the honor to acknowledge the receipt of your letter No. 236, dated 16th ultimo, with enclosure, and approve of and sanction the arrangements therein proposed which may be summarized as follows :—

1*st.*—That wherever a Deputy Commissioner may intimate to the Inspector of the Division, that he is prepared to furnish for any Tahsili school of his Division a permanent adult class, consisting of not less than six Burkundazes, or other Government servants, receiving salaries not exceeding 7 Rupees per mensem; and to fulfil the conditions, or abide by the rules laid down for such classes; the teacher of that school shall be required to instruct them in Urdû for two hours during each day on which the school is open.

2*nd.*—That such instruction shall take place in the school building, but not during the ordinary school hours, and that the entire management shall rest with the Educational Department, who must not be interfered with, in their arrangements. The hours for instructing such classes shall ordinarily be from 7 to 9 in the evening, but during the hot season, if the early morning should be preferred, it may be substituted.

3*rd.*—That the remuneration to which the teacher shall be entitled for teaching such adult Government servants, if not less than 6, or more than 8 in number, shall be 2 Rupees per mensem; if not less than 9 or more than 12, Rupees 3; and for any number exceeding 12, Rupees 4; and that these payments shall be made monthly by the Deputy Commissioner

from such local or other funds, as may be authorized for this purpose.

4*th*.—That in addition to Government servants, the teacher shall be authorized to admit to instruction, at the same time, adult scholars of other classes of the community, and to levy from these a monthly fee for instruction at such rate for such as the Director of Public Instruction may fix from time to time.

5*th*.—That the period of permanency to which the Deputy Commissioners guarantee referred to in the 1st clause, is to extend shall be six months, (though this point is not expressly adverted to in your letter), that after the close of that period, if at any time, the number of adult Government servants, coming for instruction shall fall short of six, and there be not sufficient adult pupils of other classes, to make up that number, the class shall be broken up ; to be re-established only when the Deputy Commissioner can renew his guarantee on the same terms.

2*nd*.—Printed copies of this letter will be forwarded to the several Commissioners of the Punjab, for distribution to all District Officers, with a request that the latter may be instructed when prepared to comply with the conditions above indicated, to communicate their wishes to the Inspector of the Division ; and request accordingly that you will issue, the requisite instructions to your subordinates, that they may be prepared to carry out the arrangements laid down wherever they may be thus called for.

## CIRCULAR NO. 17.

*Dated Lahore, 5th March 1857.*

*To all Commissioners.*

REVENUE.

(INDEXES.)

Further instructions relative to preparation of monthly Indexes of correspondence.

By instructions conveyed in my predecessor's Circular No. 30, dated 21st July 1853, it was directed that the manner in which all circulars or letters laying down general rules or principles issued from this office, were disposed of in yours, or, similar documents issued direct from your office, should be shown in the monthly Indexes of Revenue correspondence transmitted by you. I have the honor to request that these directions may for the future be strictly complied with, as I observe that they are in many instances neglected.

2*nd*.—It was further directed in that document; that the letters addressed by you to your subordinates; consequent on receipt of replies from this office to special references submitted by you; should be entered. But this likewise appears to be not unfrequently overlooked. I request therefore that the course prescribed in this particular also, may be followed in future, but it is to be understood, that the injunction does not apply to unimportant matters; referred merely because the period or amount involved, exceeds the limits prescribed for authorization by Commissioners—but only to cases or questions involving matters of opinion.

3*rd*.—Matters of ordinary office routine (such as the submission of periodical papers; transfer of pensions; payment of arrears, &c.,) need not be shown in your Index, and

as quarterly returns of Tuccavee advances, are submitted to this office—applications for these and letters sanctioning them, may also, with advantage, be omitted.

*4th.*—Correspondence connected with cases which have been referred or reported to me, at the time of submitting the Index may likewise be left out as I cannot require to be thus made acquainted with their purport—and it is obvious, that the entry of unnecessary matter, only serves to render the above document inconveniently lengthy, and to impose useless labor on your office establishment.

*5th.*—In a few of the Indexes which reach this office; the abstracts are so prepared, as to indicate little or nothing more than the *subject* of the letter—whereas to render them of real value; they should give, though briefly, the *purport* so that ordinarily, the tenor of queries propounded, information given, or instructions issued; may be apprehended from them, without referring to the file in extenso.

*6th.*—In some Divisions, the Index is for the most part prepared; in so far as I have been able to judge; in conformity with the instructions contained in the foregoing remarks—but I nevertheless think it advisable thus to address all Commissioners that the letter may, at all times, be available for reference should any uncertainty exist, as to what is really required.

**CIRCULAR No. 18.**

*Dated 5th March* 1857.

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*To all Commissioners in the Punjab except Lahore.*

REVENUE,

(RECEIPT BOOK.)

Sends a small printed "Bahi" or Receipt book for sums paid into treasuries by cultivators, in use in the Amritsur district, and suggests its introduction into other Districts.

I have the honor to forward herewith for distribution to your District Officers, copies of a small printed Bahi or Receipt Book, of the nature of a Surkhat ; which has been introduced by Mr. Blyth, Extra Assistant, into the Umritsur District, and of which a copy is supplied to every Zumindar or cultivator, who has to pay Revenue or Rent to the Lambardar, in cash.

*2nd.*—This document speaks for itself, and the intention is, that no payment shall be made by the possessor, without having a properly authenticated receipt for the amount entered in his Bahi. The satisfaction with which the people generally in that District appear to regard the arrangements, added to other considerations, leads me confidently to hope, that as a general rule, every cash rent payer will avail himself of the means thus afforded him, of guarding against exaction ; and as the Patwari will be held answerable, for seeing that the entries in these Bahies, for each harvest, correspond with the entries of his own Khatianies, it will be obligatory on him to take care, that, as a general rule, the arrangement takes effect.

*3rd.*—I would, then, strongly urge ; that every effort be made to introduce a similar arrangement, into the several Districts of your Division. These Bahies cost at Amritsar, but one anna each, at which rate, Mr. Blyth can supply any number of them, and as one of them suffices for several years, no cultivator can find any difficulty in paying its price.

## CIRCULAR No. 22.

*Dated 1st April* 1857.

*To all Commissioners in the Punjab.*

REVENUE.

RECORDS.

Requests that old Records that are to be destroyed be not sold to private parties, but that they be burnt or made over to jail manufactories.

In continuation of my Circular No. 64, dated 17th November 1856, relative to the destruction of old and superfluous Records appertaining to the Revenue Department, I have the honor to draw your attention to Circular No. 4, dated 21st ultimo, of the Saddar Board of Revenue N. W. P., (published in the *Agra Govt. Gazette*, of the 24th idem,) directing that such Records be not sold to private parties, but that they be burnt (with the exception of such as are taken by the Jail manufactories,) and I request the observance throughout your Division, of the instructions therein contained.

*Order by the Saddar Board of Revenue, North Western Provinces, dated Agra, the 21st March* 1857.

## CIRCULAR ORDER NO 4.

*To all Revenue and Customs authorities, including Saugor and Kumaon.*

REVENUE.

PRESENT.

E. A. Read, Esquire, Senior Member, and W. Muir, Esquire, Offg. Junior Member.

In modification of their Circular Order No. 10, dated 4th May 1855, the Saddar Board of Revenue, under instructions from Government No. 1,133, dated 7th instant, direct that in future the same rules shall be observed for the destruction of the useless Revenue and Customs records as have been approved by the Hon'ble Court of Directors for the destruction of the useless records of the Magistrate's Offices, viz., that such of them as may not be taken over at the current market rate for the Jail Manufactories, shall be burnt in each District, in the presence of

the Assistant or Deputy Collector, or other responsible Officer named for the duty.

*2nd.*—The practice of selling useless public records to private individuals is to be entirely discontinued.

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**CIRCULAR No. 23.**

*Dated 13th April 1857.*

*To all Commissioners and Superintendents.*

REVENUE.

(SUITS.)

Requests that the reduction in the Statute of Limitation, from 12 to 6 years, be held to apply to regular suits of the Revenue Department also.

I have the honor to forward copy of a letter No. 117 A. of the 24th ultimo, from the Officiating Secretary to the Chief Commissioner, with its annexures, and request that the orders therein issued in regard to the reduction in the statute of limitations from 12 to 6 years, in Civil Suits, may be held to apply to regular suits of the Revenue Department also.

No. 117 A.

*From Captain H. R. James, Officiating Secretary to Chief Commissioner, Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, 24th March* 1857.

(JUDICIAL.)

* Letter to Government No. 689, dated 20th September 1856, with enclosures.
Letter to Judicial Commissioner No. 568, dated 3rd November, with enclosure.
Ditto No 54, dated 13th Feby. 1857, with enclosure
Ditto No 96, dated 9th March, with enclosure.

As requested in your letter No. 139 of the 19th instant, I am directed by the Chief Commissioner to forward to you copies* of the correspondence connected with the instructions issued to the Judicial Commissioner on the subject of the reduction of the period prescribed in the Statute of Limitation, from twelve to six years.

No. 689.

*From R. Temple, Esquire, Secretary to Chief Commissioner, Punjab, to G. F. Edmonstone, Esquire, Secretary to Government of India, Foreign Department, Fort William, dated Lahore, 20th September* 1856.

(JUDICIAL)

I am directed to forward to you with the Chief Commissioner's recommendation, the accompanying copy of a letter No. 255, dated 13th instant, with its enclosure from the Judicial Commissioner, proposing an alteration in the period within which actions for debts and contracts should be brought in the Punjab Courts.

2*nd*.—At present, under Clause 6, Section I, Part II. of the Punjab Code, all suits can be heard when the cause of action does not exceed 12 years, and it is proposed to limit the period in actions for debt on bond, or accounts not being partnership accounts, to 6 years, as is the case in the Saugor Territory, under the rules recently published by His Honor the Lieutenant Governor.

No. 255.

*From R. Montgomery, Esquire, Judicial Commissioner for the Punjab, to R. Temple, Esquire, Secretary to Chief Commissioner, dated Lahore, the 13th September* 1856.

JUDICIAL. (Miscellaneous.)

I have the honor to forward for the perusal of the Chief Commissioner copy of a letter No. 226, dated 25th ultimo, from the Officiating Commissioner Cis-Sutlej States, proposing an alteration in the period within which actions for debts and contracts should be brought.

2*nd*.—By the Punjab Code all suits can be heard when the cause of action shall not have arisen more than 12 years before the commencement of a suit.

Clause 6, Section I. Punjab Code, Part II.

3*rd*.—By the rules recently sanctioned for the Saugor Territory, by His Honor the Lieutenant Governor N. W. Provinces, the following Statute of Limitation has been fixed :—

1*st*.—Actions respecting the succession or right to real and personal property and partnership, 12 years.

2*nd*.—Actions for debt on bond, or accounts not being partnership accounts, 6 years, and 3 years' actions for parole debts, injuries to person or character, disputes regarding marriage, caste, or non-fulfilment of contract, 1 year.

4*th*.—The Officiating Commissioner proposes that Rule 2 be adopted in the Punjab, and in this view I also concur. I have consulted several Officers of experience, and they all concur in thinking it would be beneficial. I have seen many cases, in which the 12 years' limitation seemed to me to bear hardly.

5*th*.—The Officiating Commissioner proposes an amendment to Rule 3, quoted above as follows :—

Actions of Tort, i. e., injuries of all kinds, 1 year.

6*th*.—In this I do not concur. Our Punjab Rules fix 3 months as the limit for suits on account of injuries to character or caste, and I think this preferable either to the Officiating Commissioner's proposal or to the Saugor Rules.

Vide Clause 9, Sec. I., Punjab Code, Part II.

No. 226.

*From G. Campbell, Esquire, Officiating Commissioner and Superintendent Cis-Sutlej States, to R. Montgomery, Esquire, Judicial Commissioner for the Punjab, dated Kussowlie, 25th August* 1856.

It has long struck me as very strange, that while in a settled country like England, the period of limitation for simple

debts is strictly fixed at 6 years, in this country of change so long a limit as 12 years should be allowed, so that bunias are constantly enabled to rake up, and bring into the Civil Courts long forgotten claims against unlucky cultivators and others, who have no means of remitting them. Surely a claim which in England would not be listened to for a moment, should not be tolerated here. Yet I find that a large proportion of the suits for debt, are of this class, so also are very many of the actions regarding women.

2*nd*.—I have not hitherto submitted my individual opinion, but it is now so strongly fortified by a perusal of the Rules for the Saugor non-Regulation Provinces, sanctioned by His Honour the Lieutenant Governor of the N. W. Provinces, (whose great experience you are probably aware is Judicial as well as administrative) that I do not delay earnestly to beg your attention to the matter.

3*rd*.—What makes it I think especially pressing, is that if the rule is now altered, it will, for the most part, only affect suits arising before the promulgation of the present rules, and therefore will involve no breach of faith ; whereas if we allow it to run on, and are afterwards obliged to alter it, the change may seem in some degree to bear that character. I therefore trust that the matter may be now considered.

SECTION II.

STATUTE OF LIMITATION.

No action shall be entertained unless instituted within the periods hereinafter mentioned, from the time that the cause of action arose or accrued in each description of case.

Actions respecting the succession or right to real and personal property and partnership, 12 years.

Actions for debts on bond, or accounts not being partnership accounts, 6 years.

Actions for parole debts, injuries to person or character, disputes regarding marriage, caste, or non-fulfilment of contract, 1 year.

4*th*.—The Saugor Rules as printed at page 316 of part 26 of Selections from the Records of the Government N. W. Provinces, and

Provided that the time shall be excluded during which the plaintiff shall be under the disability of infancy, lunacy or idiotcy, or during which the plaintiff shall be precluded by law from suing the Defendant, by reason of any disability whatever, either of the Plaintiff or of the Defendant.

entered in the margin, carry the principle which I advocate, even further than at present, I feel prepared to go, in as much as actions for parole debts, non-fulfilment of contracts, &c., are limited to one year. I would fain venture to suggest the following limitation in actions for real property,... ... 12 years.

Debts and contracts, ... ... ... ... ... ... 6 „

Actions of Tort, i. e., injuries of all kinds,... ... 1 „

with the usual exceptions in regard to infancy, &c.

But after the decision of the Lieutenant Governor, in favor of the much shorter limitation, in the simplest form of debt and promises, it will probably be necessary to discuss, and consider that point.

*From Captain H. R. James, Offg. Secretary to Chief Commissioner, Punjab, to R. Montgomery, Esquire, Judicial Commissioner for the Punjab, dated 3rd November* 1856.

Judicial.

In reply to your letter No. 255, dated 13th September last, I am directed to forward for your information the annexed copy of a letter from the Officiating Under Secretary to Government, Foreign Department, sanctioning the alteration proposed by you in the period within which actions for debts and contracts may be brought in the Punjab Courts.

No. 5239 A., dated 17th October.

No. 5239 A.

*From R. Simson, Esq., Offig. Under Secretary to the Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner of the Punjab, dated Fort William, 17th October* 1856.

In reply to your Officiating Secretary's letter of 20th ultimo, Nos. 689-503, I am directed to acquaint you that the

Governor General in Council sanctions the alteration proposed by the Judicial Commissioner in the period within which actions for debts and contracts may be brought in the Punjab Courts, viz. reducing the 12 years' limitation for the institution of suits, the practice now obtaining, to 6 years, as is the case in the Saugor Territories.

No. 54.

*From Captain H. R. James, Offg. Secretary to the Chief Commissioner, Punjab, to R. Montgomery, Esq., Judicial Commissioner of the Punjab, dated Lahore, 13th February* 1857.

JUDICIAL.

In continuation of my letter No. 568 of the 3rd November last, and its enclosure, I am directed by the Chief Commissioner to forward for your information and guidance, copy of a letter from the Secretary to Government No. 469 of the 30th ultimo, directing that a proclamation be issued suspending the Rule, authorising the reduction of the term of limitation for the hearing of Civil Suits in the Punjab from 12 to 6 years, until the first November 1857, after which date its provisions must be strictly adhered to.

No. 469.

*From G. F. Edmonstone, Esquire, Secretary to Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner of the Punjab, dated Fort William, the 30th January* 1857.

FOREIGN DEPT.

With reference to my letter No. 5239 A. of the 17th October last, authorizing the introduction in the Punjab of the rule obtaining in the Saugor Division, by which no suit for debts and contracts can be instituted, when the cause of action exceeds six years, I am directed to state that the Governor General in Council, being apprehensive that the sudden adoption of this rule without any warning, may be productive of inconvenience, and may operate harshly in some cases, is of opinion, that a limited period

should be fixed within which suitors may be permitted to prefer their claims under the former limitation rules.

2*nd*.—His Lordship in Council is therefore pleased to direct, that proclamations be issued generally throughout the province, declaring that the operation of the 6 years' limitation rule is suspended untill the 1st November 1857, after which date its provisions must be strictly adhered to.

No. 96.

*From Captain H. R. James, Offg. Secretary to Chief Commissioner, Punjab, to R. Montgomery, Esquire, Judicial Commissioner for the Punjab, dated Lahore, 9th March* 1857.

JUDICIAL.

With reference to my letter, No. 54, of the 13th ultimo, I am directed by the Chief Commissioner to forward for your information and guidance the annexed copy of a letter, No. 954 of the 27th idem, from the Secretary to Government, intimating that the 6 years' limitation in regard to suits for debts, should come into operation on the 1st May, and not 1st November.

No. 954.

*From G. F. Edmonstone, Esquire, Secretary to the Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner of the Punjab, dated Fort William, the 27th February* 1857.

Foreign Dept.

It is supposed that in my letter dated 30th ultimo, No. 469, the date from which the suspension of the operation of the 6 years' limitation rule in regard to suits for debts is stated to be the 1st November 1857, whereas it should be the 1st May 1857, I have the honor to request that the error may be rectified accordingly.

## CIRCULAR No. 24.

*Dated the 14th April, 1857.*

*To all Commissioners, and Revenue Surveyors, and Director of Public Instruction.*

REVENUE.

(CORRESPONDENCE)

Instructions regarding docketing of letters, and enclosures.

I have the honor to forward copy of a Circular No. 8, dated 12th ultimo, from the Officiating Secretary to the Chief Commissioner, with its annexures, and request that the instructions therein contained, in regard to docketing, and other points connected with official letters and their enclosures, may be observed in all communications made by District Officers to you, and by you to this office.

2*nd*.—These instructions are to be considered as incontinuation of those conveyed to you by my Circular No. 9, of the 9th February last.

## CIRCULAR. No. 8.

*From Captain H. R. James, Officiating Secretary to the Chief Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, the 12th March* 1857.

Government Circular, dated 21st March 1842.
Government Circular, No. 590, dated 2nd Sept. 1843
Government Circular No. 9041, dated 27th Feb. 1857.

I am directed to forward, for your information and guidance, copies of Circular marginally noted, on the subject of uniformity in docketing enclosures to Official letters, and to request that all Officers subordinate to you may be required to attend carefully to the instructions laid down by Government on the subject.

## CIRCULAR No. 904.

*From G. F. Edmonstone, Esquire, Secretary to the Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner of the Punjab, dated Fort William, 27th February* 1857.

Foreign Department.

Not unfrequently despatches containing numerous enclosures are received in this office without any number or docket being endorsed on the latter, and the delay and inconvenience thereby caused, in referring to those enclosures, and following out the consecutive letters of the correspondence seriatim, are very great. I am therefore directed by the Governor General in Council to call your particular attention to the instructions upon this point, conveyed in Mr. Secretary Thomason's letter, dated 2nd September 1843.

* No. 3.

*2nd.*—In addition to those instructions, I am to request that wherever, in a covering letter, reference is made to an enclosure in that letter, a line may be drawn in the margin* and the number of the enclosure noted thus.

## CIRCULAR.

*Fort William, Political Department, the 21st March* 1842.

The Governor General in Council having observed that many of the letters in the secret and Political Department bear an un-official character, has been pleased to direct, that from the receipt of this order (of which you will duly acknowledge the receipt) every letter written by you on official business, to any officer of the Government, shall have at the commencement, the name of the place from which, and the date at which it is written, and likewise your name and the name of the person to whom it may be addressed, and that the same information* shall be given at the end of each letter.

* *Note.*—The insertion, at the close of the letter, of name of the party addressed, has become obsolete, and is not now necessary.

D F. McLEOD,
*Financial Commr.*

2*nd*.—His Lordship in council likewise directs that every letter shall be endorsed with the same information, and with a short statement of the subject to which it relates, and further that every letter shall be numbered, the numbers commencing with each year, and that the enclosures in each letter shall be likewise numbered and endorsed, the numbers to them being in the following form—No. 1 in No. 6 of 18— and so forth, and the endorsement conveying a short statement of the subject to which it may relate, in the same manner as has already been directed with respect to the letter.

3*rd*.—The Governor General in council is aware that under circumstances of emergency it may occasionally occur, that the official forms cannot be observed, but his Lordship in Council directs that every exertion shall be made to preserve them: regularity and order being essential to the correct conduct of official communications.

## CIRCULAR.

*Fort William Foreign Department, the 2nd September* 1843.

With reference to the Circular from this office, dated March 21st 1842, I am directed by the Governor General in Council to draw your attention to the docketing of enclosures of public letters, as this has been found in many cases defective and consequently productive of inconvenience and delay in the transaction of public business.

2*nd*.—The enclosure should bear on its docket in addition to the name of the writer and the date and the number of the covering letter, also the name of the writer and the date and number of the enclosure itself, with a concise note of its contents.

3*rd*.—This already been enjoyned in the conclusion of paragraph 2 of the Circular letter of March 21st 1842, but has in many cases been disregarded. To prevent further misapprehension, a form is annexed of mode of docketing, which it is requested may be adopted.

LIBRARY

*Enclosure No.* _____

*In a letter No.* _____

*Dated* _____ 185

*From* _____

*To* _____

---

*From* _____

*To* _____

*Dated* _____

*No.* _____

*Subject.*

## CIRCULAR No. 25.

*Dated the 15th April*, 1857.

*To all Commissioners in the Punjab.*

REVENUE.

(BALANCES.)

• Requests that the Annual Land Revenue Balance Statements and Report, may be submitted separate from the Annual Revenue Administration Report, and that when submitting them, it may be stated how the settlements (whether regular or summary) have been found to work.

I have the honor to request that when submitting the reports on Revenue Balances of your Division for the current year (which should be prepared by the Deputy Commissioners and submitted by yourself apart from the general reports on the Revenue Administration,) you will briefly state how the existing settlements (whether Regular or summary) have been found to work during the year, and should you be of opinion, that the assessment presses heavily in any quarter, that you will briefly state the causes of this as far as these may be ascertainable, and the measures which you would recommend in order to remedy the evil.

## CIRCULAR No. 26.

*Dated the 15th April* 1857.

*To all Commissioners in the Punjab.*

REVENUE.

(AMMUNITION.)

Instructions in regard to supply of service and practice ammunition for Tehseel Chuprasees.

I have the honor to request that the rules issued by the Judicial Commissioner in his Circular No. 10, dated 28th January last, in regard to procuring service ammunition for the Police, may be

rendered applicable to Revenue Burkundazes also.

2*nd.*—As respects practice ammunition, I beg to observe that as the service ammunition, procured for them will seldom or never be used for service purposes, it may yearly be made available for practice, on the fresh indents being complied with.

*Copy of Circular No.* 10, *dated* 28*th January* 1857, *from the Judicial Commissioner, Punjab, to all Commissioners.*

JUDICIAL
(Miscellaneous.)

* Circular No. 12 of 1852.

The Government Order No. 275, dated 21st January 1852, circulated by the late Board of Administration on 4th February, following,* authorized the supply, from the Lahore Magazine of Powder and Ball, at the rate of 20 rounds per man, for the use of the ordinary Police. Subsequently, on 6th August 1852, it was ruled that indents for the above supply should be preferred on the Magazine nearest to the indenting Officer's station, and a list of the Districts and Magazines will be found published with the Board's Circular No. 66, dated 24th August 1852. But no definite instructions with regard to submission of indents, or the form of this document, have ever been issued, and great diversity of practice prevails in consequence, in the several Districts. I find it necessary, therefore, to communicate the following directions, which I request may be carefully attended to in future.

2*nd.*—The allowance of 20 rounds per man, above adverted to, is to be considered an annual one, and should be indented for in the form annexed, on the 1st January of each year, the Indent being prepared in duplicate, and submitted to this Office for countersignature, through the Commissioner, who should collect and forward the Indents of his Division simultaneously. A second Indent for any one District for the

same year will not be admitted, and I request you will caution your Deputy Commissioners to be careful in seeing that their Indents are correctly framed. Those Officers who have not yet indented for Service ammunition according to the above scale, for the current year 1857, should be called upon to submit their Indents without further delay. On receipt of a fresh supply, the ammunition in store can be used for target practice, as authorized in the 6th clause of the rules which accompanied my Circular No. 49, dated 31st July 1856.

*3rd.*—Flints for Service ammunition will be allowed in the proportion of 2 * for every 20 rounds, and should be included in the same Indent. The necessity for indenting for turnkeys and such like articles will not be frequent, but when it does arise, the required articles can be entered in the annual Indent, to which should however be appended a clear explanation of the reason for indenting, whether to replace unserviceable articles, or otherwise. Pistol ammunition for the use of Police Jemadars will, as already ordered in para : 4 of my Circular No. 76, dated 7th October last, have to be made up by the District authorities. Caps to Jemadar's pistols can be purchased in the market, and the cost charged in the District Judicial Contingent Bill.

* But Flints being procurable only in Magazines, 4 more per man may be included in the Indent for practice, or in all 6 flints per man per annum. This allowance should suffice, to supply any extra flints that may be required for newly entertained and uninstructed Bur k u n dazes.

*4th.*—It must be understood that the Service ammunition above treated of is quite distinct from the Practice ammunition allowed by my Circular No. 49, quoted in para : 2 of this letter, and should be kept and accounted for separately. In the same Circular it is ordered (vide clause 1 of the rules) that Practice ammunition is to be made up by District Officers, and no Indents on the Ordnance Department on account of it except

under special * circumstances, to be fully explained at the time, will hereafter be passed by me. But I would earnestly enjoin on Commissioners when passing charges for Practice ammunition manufactured by District Officers, to be most careful in seeing that the scale laid down in my Circular No. 49 of the 31st July, is on no account allowed to be exceeded. The instructions conveyed in that Circular are clear, and with ordinary care in checking, the quantity of powder or lead charged for, according to the detailed proportion allowed for each cartridge or bullet, and the strength of the force to be supplied, no difficulty should be experienced in exercising an effective supervision over this branch of expenditure.

* For instance where Powder or Lead may be obtainable from the Magazine at a cheaper rate than it can be procured in the market, and the Commissary of Ordnance requires a duly passed Indent before complying with the requisition, or such other cause.

*ANNUAL INDENT on the _____ Magazine for Ammunition, &c., required for the use of the _____ of the _____ District, for the year* 185

| Strength of Force. | Names of Articles. | Established allowance. | Number or quantity of Articles remaining in Store. | Now Indented for. | Purpose for which required. | Remarks by Judicial Commissioner. |
|---|---|---|---|---|---|---|
| | *Example.* | | | | | |
| 237 Men, | Cartridges, balled, | 20 rounds per Man. | 2,000 Rounds, to be used for Target practice on receipt of supppply now indented for. | 4740 rounds, | Sanctioned Annual supply for the | |
| | Flints, Service, | 2 for every 20 rounds, | 200 | 474 | ditto, ditto. | |
| | Do. Practice, | 4 per Man, | 250 | 948 | For Target practice by Police. | |

*N B.—The above is meant only to show the scale of ammunition allowable. The form of Indent must be that subsequently prescribed by Financial Office Book Circular No.* 11, *dated* 12*th June,* 1858.

A. A. ROBERTS,

*Lahore, September,* 1859.

*Officiating Financial Commissioner.*

## CIRCULAR No. 28.

*Dated, the 23rd April, 1857.*

*To all Commissioners and Superintendents.*

REVENUE.

(FORMS.)

Furnishes list and specimens of standard Revenue forms.

In continuation of my Circular No. 47, dated 11th September last, I have the honor to inform you that the Manager of the *Lahore Chronicle Press*, has been supplied with a revised and corrected set of forms, agreeably to the enclosed list in which all additional forms since prescribed have been included, and to which all future ones that may be ordered will be added as supplementary.

*2nd.*—As much inconvenience is experienced through periodical papers of the same kind coming up in various forms, from the different offices, I request that no modification in these forms may be allowed, either in your own or subordinate offices, without previous sanction being obtained thereto.

*3rd.*—One complete set of these forms for your own office, and one for each of the District Offices of your Division, accompany this communication, and I request that they may be carefully retained as standard documents; to be strictly adhered to, except as they may be discontinued, added to, or revised, by any subsequent instructions that may be issued from this office.

*4th.*—Should yourself or District Officers have a large store in your offices of any forms differing from these, you can of course continue using them until they are exhausted. But every effort should be used to assimilate them, as much as possible, to the exemplars, by manuscript.

*LIST of Periodical Returns prescribed for submission in the Revenue Department, Punjab, (corrected up to the 1st September 1859.)*

| Press No. | Description of Statement. | Remarks. |
|---|---|---|
| | BY DEPUTY COMMISSIONERS AND SETTLEMENT OFFICERS TO COMMISSIONERS. | |
| | MONTHLY. | |
| 1 | List of unanswered References. | |
| 3 | Report of Summary Suits. ... | In Vernacular. |
| 4 | Business Statement. | |
| 5 | Hâl Towzee. | |
| 6 | Dustuk and Tuluhana Statement. | |
| 8 A. | Price Current of Agricultural produce. ... | In Vernacular. |
| 8 B. | Ditto ditto ditto. ... | In English. |
| 9 | Meteorological Registers. | |
| 105 | Settlement Business Statement. | |
| 112 | Monthly Memo. of Salt Revenue realized. | From Collector of Salt Rev. |
| | TWO-MONTHLY. | |
| 2 | Statement of Vacancies and Appointments. | |
| 110 | Statement of decreases effected in Establishments. | |
| | QUARTERLY. | |
| 13 | Statement of Revenue defaulters in confinement. | |
| | HALF-YEARLY. | |
| 18 | Return of Summary Settlements. | |
| 21 | Statement of Uncovenanted Government Servants dismissed. | |
| 111 | Statement of Maafee cases. | |
| | ANNUAL. | |
| 22 | Report on revision of Securities. | |
| 23 | Report of Investigation into Decrement settled summarily, No. I. C. | |
| 24 | Report into Increment, ditto No. II. C. | |
| 25 | Ditto into Decrement, settled regularly, No. I. D. | |
| 26 | Ditto into Increment, ditto No. II. D. | |

| Press No. | Description of Statement. | Remarks. |
|---|---|---|
| 26 | Abstract Pergunnahwar Kistbundee. | |
| „ | Abstract Rent Roll. | |
| 29 | Revenue Balance Statements, No. I. to IV. A. | |
| 30 | Ditto ditto ditto, Nos. I. to IV. B. | |
| 34 | Report on Tents in Store and their condition. | |
| 35 | No. I. Meteorological Register. | |
| 86 | No. II. Comparative Statement of Jumma. | |
| 37 | No. III. ditto of Revenue demands, collections, and balances. | |
| 38 | No. IV. ditto of Dustuks and Tulubana. | |
| 39 | No. V. Statement of Estates sold, &c. for recovery of arrears of Revenue. | |
| 40 | No. VI. Statement of Kham holdings. | |
| 41 | No. VII. Statement of lapses and resumptions of Maafe tenures. | |
| 42 | No. VIII. Statement of Settlements made of ditto. | |
| 44 | No. X. Tableof average prices of Agricultural produce. | |
| 45 | No. XI. Statement of Abkaree demands, receipts and balances, with three Appendices. | |
| 46 | No. XII. Comparative Statement of Abkaree demands, receipts, and balances. | |
| 47 | No. XIII. Statement of Stamps receipts and charges. | |
| 48 | No. XIV. Statement of demands, collections and balances of Service Commutation, (from Cis and Trans-Sutlej States only.) | |
| 49 | No. XV. Abstract of Contingent charges. | |
| 50 | No. XVI. Statement of Extra Establishments. | |
| 51 | No. XVII. Statement of Summary Suits. | |
| 52 | No. XVIII. Statement of business. | |
| 53 | No. XIX. Tuccavee Statement. | |
| 53½ | Yearly Statement of Tents purchased. | |
| 16 | Report on Arms of Revenue Burkundazes. | |
| 106 | Settlement Business Statement. | |
| 107 | Statement showing Financial results of Settlement. | |
| 121 | Indent for Arms or Ammunition for Tehseel chuprasees. | |
| 123 | Statement Nos. I. and II. of Village School Fund. | Direct to Financial Commissioner. |
| 117 | Statement of transfers of landed property Sale, by Mortgage, &c., | |

| Press No. | Description of Statement. | Remarks. |
|---|---|---|
| 108 | Touzee of Tuccavee advances | |
| 109 | Detailed Statement of Tuccavee collections and balances. | |
| | **BY COMMISSIONERS TO THE FINANCIAL COMMISSIONER.** | |
| | MONTHLY. | |
| 55 | Index of Correspondence. | |
| 105 | Settlement Business Statement .. | In original. |
| | TWO-MONTHLY. | |
| 54 | Statement of Appeals from decision of Deputy Commissioners and Settlement Officers. | |
| 110 | Statement of Decreases effected in Establishments. | |
| | QUARTERLY. | |
| 57 | List of unanswered references. | |
| 59 | Statement of Revenue defaulters in confinement. | |
| 60 | Meteorological Register. | |
| 124 | Disposition list of Salt Department and Customs Officers. | |
| | HALF YEARLY. | |
| 65 | Return of Summary Settlements. | |
| 67 | Statement of Uncovenanted Government Servants dismissed. | |
| 111 | Statement of Mafe cases. | |
| | ANNUALLY. | |
| 23 to 26 | Reports on Increment and Decrement. | Submitted by Commissioner in original. |
| „ | Abstract Purgunnahwar Kistbundee. | |
| „ | Abstract yearly Rent Roll. | |
| 29 | Revenue Balance Statements, No. I. to IV. A. | Ditto. |
| 30 | Ditto ditto No. I. to IV. B. | |
| 73 | Report on Tents in store and their condition. | |
| 74 | Yearly Statement of Tents purchased. | |

| Press No. | Description of Statement. | Remarks. |
|---|---|---|
| 75 | No. I. Meteorological Register | |
| 76 | No. II. Comparative Statement of jumma. | |
| 77 | No. III. ditto of Revenue demands, collections and balances. | |
| 78 | No. IV. ditto of Dustuks and Tulubanah. | |
| 79 | No. V. Statement of Estates sold, &c., for recovery of arrears of Revenue. | |
| 80 | No. VI. Statement of Kham Holdings. | |
| 81 | No. VII Statement of leases and resumption of Maafe tenures | |
| 82 | No. VIII. Statement of Settlements made of Maafe tenures. | |
| 84 | No. X. Table of average prices of Agricultural produce. | |
| 85 | No. XI. Statement of Abkaree demands, receipts, and balances, with three Appendices. | |
| 86 | No. XII. Comparative Statement of Abkaree demands, receipts and balances. | |
| 87 | No. XIII. Statement of Stamps receipts and charges. | |
| 88 | No. XIV. Statement of demands, collections and balances of Service Commutation, (from Cis and Trans-Sutlej States only.) | |
| 89 | No. XV. Abstract of contingent charges. | |
| 90 | No. XVI. Statement of Extra Establishments. | |
| 91 | No. XVII. Statement of Summary Suits. | |
| 92 | No. XVIII. Business Statement. | |
| 93 | No. XIX. Tuccavee Statement. | |
| 64 | Report on Arms of Revenue Burkundazes. | |
| 106 | Settlement Business Statement. | |
| 107 | Statement showing Financial results of Settlement. | |
| 221 | Indent for Arms or Ammunition for Tehseel Chuprasees. | |
| 117 | Statement of transfers of land, by sale, mortgage, &c. | |
| 108 | Touzee of Tuccavee advances. | |
| 109 | Detailed Statement of Tuccavee collections and balances. | |
| | **FROM DEPUTY COMMISSIONERS TO COMMISSIONERS, AND FROM THE LATTER TO FINANCIAL COMMISSIONER.** | |
| | OCCASIONAL. | |
| 94 | Bill for purchase of Pension. | |

| Press No. | Description of Statement. | Remarks. |
|---|---|---|
| 95 | Statement of proposed pension to heirs of deceased rent-free holders. | |
| 96 | Statement of arrears of pension due. | |
| 97 | Statement of compensation for land taken up. .. | In English. |
| 98 | Ditto ditto ditto. .. | In Vernacular. |
| 99 | Statement of prospective reduction in Rent Roll. ... | In English |
| 100 | Ditto ditto ditto. ... | In Vernacular. |
| 101 | Statement of proposed refund of Revenue. | |
| 102 | Statement of Candidates for promotion. | |
| 103 | Statement of refund of Revenue and Compensation due for lands thrown out of irrigation. | |
| 20 | Nominal Roll of Uncovenanted Officials of superior grades dismissed. | |
| 66 | Ditto of Uncovenanted Officers dismissed, and recommended not to be again employed under Government. | |
| 113 | Statement of rent-free tenures submitted for orders. | |
| 114 | Statement of proposed farming lease. | |
| 115 | Statement of proposed transfer of rights of defaulting Putteedars. | |
| 116 | Statement of proposed sale of lands for recovery of arrears of Revenue. | |
| 119 | Nomination Roll of Tehseeldars appointed. | |
| 120 | Statement of Uncovenanted Superannuation pension proposed. | |
| 122 | Bill for dowry payable to female pensioner. | |
| 125 | Statement of landed property proposed to be sold in execution of a decree of a Revenue Court. | |
| 104 | Statement of Increase and Decrease of Establishment. | |

## CIRCULAR No. 30.

*Dated* 1*st May*, 1857.

REVENUE.

(PENSIONERS.)

**Empowers Commissioners to exempt Pensioners from personally attending to draw their stipends.**

Ordered that copies of the above be forwarded to all Commissioners in the Punjab for information.

No. 215.

*From the Officiating Secretary to Chief Commissioner, to the Secretary to Government of India, Foreign Department, Lahore, 21st March* 1857.

REVENUE.

I am directed to submit for the consideration and orders of the Right Honorable the Governor General in Council, copy of an extract (paras. 1, 2, 3,) from a letter No. 83, dated 9th instant, from the Civil Auditor, soliciting instructions regarding the practice in force in the Punjab of exempting pensioners from personal attendance under the authority of Commissioners of Divisions.

2*nd.*—The Chief Commissioner recommends that the practice be continued, but if there should be an objection to such an arrangement, he would suggest that the Financial Commissioner be vested with the power of granting exemptions, which is exercised, in the North West Provinces by the Sudder Board of Revenue.

No. 1692.

*From G. F. Edmonstone, Esquire, Secretary to Government of India, to Sir John Lawrence, K. C. B, Chief Commissioner, Punjab, Fort William, 17th April* 1857.

FOREIGN DEPARTMENT.

I am directed to acknowledge the receipt of your Officiating Secretary's letter No. 215, dated 21st ultimo, and in reply to state that as recommended by you, the Governor General in Council authorizes the Commissioners of Divisions to retain the power which they have hitherto exercised of exempting pensioners from attending personally to draw their stipends.

## CIRCULAR NO. 31.

*Dated the 1st May 1857.*

*To all Commissioners and Superintendents, except Mooltan Division.*

I have the honor to forward, for the information of yourself and subordinate Officers, copies of the correspondence noted in the margin,* conveying the orders of Government that half the usual rate of travelling allowance only will be granted to Settlement Officers, and Deputy Commissioners, and their Establishments, when halts are made for periods exceeding a fortnight, and in the case of Settlement Officers having charge of more than one District, when they halt for more than a month.

REVENUE.

(TRAVELLING ALLOWANCE.)

Instructions relative to rate of travelling allowance to be given to Establishments of Settlement Officers and Deputy Commissioners, when they halt for any time.

* Extract para. 4 of a letter, No. 376, dated 29th December, 1856, from Commissioner, Mooltan Division, to Financial Commissioner

No. 27, dated 14th January, 1857, from Financial Commissioner to Secretary to Chief Commissioner.

No. 359 dated 16th April, 1857, from Secretary to Chief Commissioner, in reply, with Government Resolution, No. 1,259, dated 20th March 1857.

*Extract para. 4 of a letter, No. 376, dated the 29th December, 1856, from Major G. W. Hamilton, Commissioner and Superintendent Mooltan Division, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab.*

*4th.*—"I consider also that travelling allowance is often "unnecessarily charged. When an Officer is employed in deciding "Hukeeut cases, and suits of that nature, he need not move "about, but had better take up a central position at a Tehseel

" or Thannah. If there is no convenient building available " a shed might be built at a small cost, and the carriage dis- " charged."

No. 27.

*From D. F. McLeod, Esquire, Financial Commissioner for the Punjab, to Captain H. R. James, Officiating Secretary to the Chief Commissioner, dated Lahore, the 14th January, 1857.*

I have the honor to annex an extract para. 4 of a letter No. 376, dated 29th ultimo, addressed to me by the Commissioner of Mooltan, suggesting that when Officers employed on Settlement duties have occasion to halt for a length of time, it is not necessary to grant them travelling allowance, and as the suggestion is, in my opinion, deserving of consideration; I submit it for the orders of the Chief Commissioner.

*2nd.*—Occasions frequently occur in the case of other Establishments, as well as of those connected with Settlements when Officers, though detached from Head Quarters, are enabled, or required to halt at a single spot for lengthened periods at a time, and during these periods they are entitled, under the rules in force, to draw travelling allowance, for which, at present, only one rate is fixed. Thus when the Extra Assistant of Ferozepore was deputed recently to Mumdot, he drew the full amount of travelling allowance; during the entire period of his stay there, of some months, although supplied with Government tents, and in the Settlement Department, in which Judicial Officers must frequently have occasion to make long halts, the same rule holds.

*3rd.*—It seems to me that travelling allowance could not with justice, be entirely withheld in such cases, as more or less of outlay must almost always be incurred in excess of what would be necessary at the Head Quarters; but a reduced scale, say one-half of the full amount of travelling allowance, would, in my opinion, suffice for such occasions.

*4th.*—What I would suggest then is, that it be laid down as a rule, that where halts have to be made, exceeding a certain duration, the travelling allowances shall be drawn for the whole time on such reduced scale as may be determined; and this duration of halt I would fix at one fortnight for individuals whose movements are confined to a single district; and one month for those having a larger sphere of operations. Exceptional cases will occur where such halt could not be foreseen, and provided for by discharging carriage, &c.; and in these the full allowance might be granted on special report.

No. 359.

*From Captain H. R. James, Officiating Secretary to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner for the Punjab, dated Lahore, the 16th April 1857.*

With reference to your letter, No. 27, of the 14th January last, and its enclosure, suggesting certain modifications in the rate of travelling allowance to Officers employed upon Settlement duties, and their establishments during lengthened halts at one spot, I am directed to forward for your information and guidance, copy of a Resolution recorded by the Governor General in Council in the Financial Department, No. 1,259, of the 20th ultimo, directing that where halts exceed a fortnight or a month, according as the movements of the Settlement Officers are confined to one or more Districts, only one-half of the present rate of travelling allowance shall be granted for the whole period of such halts, the rate being made applicable to all Settlement Officers and Deputy Commissioners.

REVENUE.

No. 1,259.

RESOLUTION.

*Fort William, Financial Department, the 20th March, 1857.*

The Right Hon'ble the Governor General in Council observes that, under the rules at present in force, Officers em-

ployed upon Settlement duties in the Punjab, while detached from Head Quarters, draw the full amount of travelling allowance, whether actually travelling, or encamped for any lengthened period on one spot.

It is now proposed, that when halts are to be made for any period exceeding a fortnight, by individuals whose movements are confined to a single district, and for any period exceeding one month by Officers having a larger sphere of operations, a reduced scale of travelling allowance be sanctioned.

This proposition appears to his Lordship in Council to be reasonable, and he is accordingly pleased to determine, that where halts exceed a fortnight, or a month, according as the movements of the Settlement Officers are confined to one or more districts, only one-half the present rate of travelling allowance shall be granted, for the whole period of such halts, the rule being made applicable to all Settlement Officers and Deputy Commissioners.

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**CIRCULAR No. 33.**

*Dated the 7th May* 1857.

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*From D. F. McLeod, Esq., Financial Commissioner for the Punjab, to the Commissioners of Jhelum, Leia, Moultan, and Peshawur.*

I have the honor to forward for the information of yourself and District Officers, copies of the correspondence noted in the margin,* relative to permitting Jageerdars, who hold entire villages, or large fractional shares, obtain-

REVENUE.

(JAGHEERS)

Relative to Jageerdars being allowed the use of dustuks to recover sums due them.

* Extract para. 4 of Financial Commissioner's letter, No. 4,174, dated 11th De-

ing the use of dustuks under certain restrictions, in collecting their revenue.

cember 1855, to Commissioner, Lahore Division, with extracts from enclosures.
Circular No. 42, dated 23rd February 1856, addressed by Commissioner, Lahore Division, to his District Officers.
No. 600, dated 26th idem, from Financial Commissioner to Commissioner.
No. 134, dated 16th April 1857, from Commissioner to Financial Commissioner, (without enclosures.)

2*nd*.—Should you consider the measure a desirable and appropriate one, as respects Jageerdars of the description indicated, in any of the Districts of your Division; you are at liberty to introduce therein the system which has been so successful in the Cis-Sutlej States, and the Lahore Division, and I request that you will inform me, what course you may pursue in the matter.

*Extract para.* 4 *of a letter No.* 4,174, *dated* 11*th December* 1855, *from the Financial Commissioner, to the Commissioner and Superintendent, Lahore Division.*

" As a considerable number of these cases are suits brought " by Jageerdars, for the realization of their revenue, I annex for " your perusal and consideration, some original correspondence " (as per list subjoined) which has passed with the Commissioner " and Superintendent Cis-Sutlej States, from which you will " observe that *a* system has been introduced into that Division with good effect; by which Jageerdars are allowed to " issue through the Tehsildars, dustuks for the realization of " their *just* demands."

*Extract paras.* 3, 4, 5, 8 *and* 9, *of a letter No.* 404, *dated* 20*th December*, 1854, *from the Commissioner and Superintendent Cis-Sutlej States, to the Financial Commissioner, Punjab.*

" The villagers seeing the helplessness of the Jageerdars, " behave with greater contumacy than they would dare to shew " to the Government, who has various ways of enforcing punctual " payment. The insubordinate spirit on the part of the villagers

" is aggravated by the recollection of wrongs suffered during the " sovereignty of these Jageerdars, who, previous to 1847, pos- " sessed full jurisdiction within the bounds of their several es- " tates."

4*th*.—" The Government has directed, in the event of " any Jageerdar being unable to collect his own revenue, that " the estate shall be administered by the Government establish- " ment, and a fee of 3½ per cent. exacted for the trouble of col- " lection."

5*th*.—" The Jageerdar replies that this is a heavy impost " to defray in addition to the 12 per cent. levied by way of com- " mutation for service. He is denied, he says, the exercise of " the simplest measure of coercion, and in the absence of au- " thority, he necessarily fails to secure obedience. He requests " that Government will consider his case, and devise some " scheme for assisting him in the collection of his rights."

8*th*.—" The issue of a dustuk or notice to pay, is the first " and simplest process observed on the occasion of default. The " writ goes forth the day after the Revenue is due, and Mr. Mel- " vill suggests that at the written request of the Jageerdar given " at the Tehseel, a muzkooree or serving peon furnished with a " dustuk, should be placed at his disposal. The term for which " the writ would run, should be six days, at two annas a day, to " be paid by the defaulting puttee or village, in addition to the " Revenue due. In like manner he would allow the issue of two " more dustuks in case of continued default, with a period of " one week between each issue."

9*th*.—" Mr. Brandreth suggests also the same plan, only " allowing four annas a day to the peon for six days."

*Extract paras. 3 and 4 of a letter No. 40, dated 10th January 1855, from the Financial Commissioner, Punjab, to the Commissioner and Superintendent, Cis-Sutlej States.*

3*rd.*—" For this purpose, it appears to me, that 4 annas a " day, as proposed by Mr. Brandreth, will, by no means, be ex- " cessive, and it should, in my opinion, be incumbent on the Teh- " sildar ; not on the Jageerdar, to collect the amount due. If left " to the latter, recusant Zumindars would find in this a means of " causing him further annoyance ; and protracting the period of " their own exemption, by refusing to pay the amount of charge ; " so that the process would lose much of its efficacy—while the " peon charged with serving it, might experience difficulty or " delay in obtaining remuneration for his services."

4*th.*—" It should in all such cases be considered imperative " on the Jageerdar, to send with the peon a trustworthy man ; au- " thorized to receive the amount of collections on his behalf, so " that the Tehsildar may have nothing to do with the receipt and " custody of the cash, and should no such person be in attend- " ance at the proper time, the cost of dustuk, should be charged " to the Jageerdar."

## CIRCULAR No. 42 OF 1856.

*From Charles Raikes, Esquire, Commissioner and Superintendent, Lahore Division, to the Deputy Commissioners of the Lahore Division, dated Lahore, the 23rd February* 1856.

I have the honor to forward, for your information and guidance, copies of the correspondence marginally noted, and to request that you will introduce in your District from the ensuing rubbee crop, the system

REVENUE.

From Commissioner Cis Sutlej States, No. 404, dated 20th December 1854.
From Financial Commissioner No 40, dated 10th January 1855.
From Commissioner, Cis-Sutlej-States, No. 331, dated 23rd October 1855.
From Financial Commissioner No. 3,902, dated 14th November 1855.

sanctioned by the Financial Commissioner in his letter No. 40, dated 10th January 1855, by which Jageerdars and Maafeedars are allowed the privilege of enforcing payment of the jumma assessed on their rent-free holdings.

2*nd.*—The Jageerdar will make a written application to the Tehsildar, who will issue, through the hand of a Muzkooree or serving peon a dustuk. This Muzkooree, accompanied by the Maafeedar or Jageerdar, or by his confidential servant, will assist in making the collections.

3*rd.*—The term of the writ will be fixed 6 days as usual, and the amount of tulubana or charge on the writ, will be calculated at the rate of 4 (four) annas per diem. Two more writs may be issued in cases of continued default. The Jageerdar or Maafeedar will be required to file his receipt of the collections made for him at the Tehseeldaree.

4*th.*—Half the amount of the tulubana to be paid to the serving peon, and the other half credited to Government.

5*th.*—I request that you will inform the principal Jageerdars in your District, of the purport of this order, and also distribute to them and to your Tehsildars the vernacular proceedings of which fifty copies are herewith forwarded.

No. 600.

*From D. F. McLeod, Esquire, Financial Commissioner, Punjab, to Charles Raikes, Esquire, Commissioner and Superintendent, Lahore Division, dated Lahore, 26th February* 1856.

REVENUE.

I have the honor to acknowledge the receipt of your letter No. 69, dated 23d current, returning correspondence, regarding the issue of dustuk by Jageerdars, through the Tehsildars; for the collection of their Revenue.

2*nd*.—I quite approve of the arrangements made by you, for experimentally introducing this system into your Division, but it should be understood that the privilege is to be exercised by the holders of entire villages, or at all events, of large fractional shares.

3*rd*.—I shall be glad to receive, at the close of the present calendar year, a report from you ; showing how the scheme has been found to work in the several Districts—and to what extent, the Jageerdars have availed themselves of it.

No. 134 OF 1857.

*From A. A. Roberts, Esquire, Officiating Commissioner and Superintendent Lahore Division, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore,* 16*th April* 1857.

With reference to your letter No. 600, dated 26th February 1856, sanctioning the experimental introduction of the privilege of allowing Jageerdars the use of dustuks to collect their Revenue, I have the honour to submit for your perusal the reports (marginally noted) of my District Officers regarding the working of the system during the past year.

REVENUE.

No. 560, dated 31st December 1856, from Deputy Commissioner, Goojranwala.
No. 15, dated 3rd January 1857, from Deputy Commissioner, Goordaspoor.
No. 33, dated 13th idem, from Deputy Commissioner, Lahore.
No. 74, dated 7th Feby., from Deputy Commissioner, Amritsar.
No. 133, dated 20th idem, from Deputy Commissioner, Seealkote.

2*nd*.—The privilege has been most largely availed of in Goordaspoor and Lahore.

3*rd*.—The District Officers concur in considering the system to be both useful and popular. The Jageerdars are now enabled to collect their Revenue with greater regularity and with

less difficulty. Our Revenue Courts are also in a measure relieved of summary suits between Jageerdars and Cultivators.

*4th.*—The information on this subject which I have derived from personal enquiries during my late tour, combined with the favorable reports now submitted, induce me to unhesitatingly recommend the continuance of the system.

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## CIRCULAR No. 34.

*Dated 8th May, 1857.*

*To all Commissioners in the Punjab.*

REVENUE.
(ADMINISTRATION PAPER.)
On the subject of employing Putwarees in communication with Zumeendars in drawing up the materials to be embodied in the Administration paper of each village.

I have the honor to forward herewith printed copies of a vernacular translation of Circular No. 18, dated 20th February, 1855, of this Office, on the subject of employing Patwarees, in communication with the Zumindars in drawing up the materials to be embodied in the Administration paper of each village.

*2nd.*—As I deem it of great importance that the object contemplated by the Circular be kept constantly in view, and acted upon, I request that a copy of this translation may be recorded in each Tehsil; and that every native functionary, who may now, or hereafter, be employed in drawing up Settlement Records, may be supplied with one.

*3rd.*—Should a copy of the original Circular not have been heretofore supplied to each Deputy Commissioner of your Division, I request that one or more copies may now be supplied, for his guidance, and for record, as well as to every European Officer engaged in Settlement duties, a completed Settlement file being occasionally sent for by yourself, where revision of

Settlements is in progress, in order to satisfy yourself that the prescribed course is duly followed.

*4th.*—To enable you more readily to distribute copies where required, I forward printed copies, likewise, of this letter, and the original Circular, in which the numbering of the paragraphs has been slightly altered, from that in the first instance adopted.

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**CIRCULAR No. 36.**

*Dated 9th May* 1857.

*To all Commissioners in the Punjab.*

REVENUE.

(SETTLEMENTS.) The payment of village Chowkeedars in cash to form a clause in future Settlements.

I have the honor to forward, copy of a letter No. 313, dated 4th ultimo, from the Officiating Secretary to Chief Commissioner, with extract from a despatch from the Honorable Court of Directors, and with reference thereto, request that the payment of village Chowkeedars, in cash may form a Clause in all future Settlements, regular or summary, that may take place in your Division.

*2nd.*—This will cancel Clause 3 of my Circular letter No. 42, dated 4th May 1855. But it does not appear to me necessary or expedient, that Settlement Officers be vested with any authority or discretion in this matter; beyond ascertaining from the District Magisterial authorities, the number and pay of the Police in each village, and recording the manner, in which the amount demandable on this account, shall be distributed amongst the individuals liable for it.

*3rd.*—The determining the number, location, and pay of village Chowkeedars, will, I apprehend, continue with the Dis-

trict authorities, as heretofore, and I have requested the Judicial Commissioner, to issue such supplementary instructions for their guidance as he may think proper.

No. 313.

*From Captain H. R. James, Officiating Secretary to Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner Lahore, 4th April* 1857.

REVENUE.

I am directed by the Chief Commissioner to forward for your information and guidance, copy of an extract para. 76 from a despatch of the Honorable Court of Directors No. 47, dated 12th November 1856, directing that the payment of Chowkeedars in money, shall form a clause in all future Settlements.

*Extract para. 76, from the Honorable Court's Despatch No. 47, dated 12th November* 1856.

Para. 117, Circular dated 3rd November, 1854, No. 71, 1855.

Enquiring what powers the Magistrate possessed to enforce the payment of the Chowkeedar's dues. Reply that under the existing settlement, some difficulty existed, but that general enquiries had been made on the subject, and the dues in question had been since made an integral part of the Settlement of Saharanpoor.

Para. 76*th*. —We desire that the payment of Chowkeedars in money shall form as has been already proposed, a clause in all future Settlements.

No. 1967.

*Judicial Department, North Western Provinces.*

Ordered that a copy of the above extract be forwarded to the Chief Commissioner of Punjab for information and record.

**CIRCULAR No. 37**

*Dated 14th May 1857.*

*To all Commissioners in the Punjab.*

REVENUE.
(PENSIONS.)

Permission to purchase up pensions not exceeding Rupees 20 per annum, extended to hereditary and perpetual money allowances.

The late Board of Administration by their Circular No. 30, dated 19th May, 1852, conveyed orders for the purchase of life pensions not exceeding Rupees 20 per annum in value.

2*nd*.—I now have the honor to forward copy of a Government Resolution, No. 1528, dated 11th April, authorizing the extension of this Rule to the purchase of hereditary and perpetual money allowances within the same maximum.

3*rd*.—To the best of my belief, however, no such allowances exist in the Punjab. But should an application be made to any of your District Officers; for effecting the purchase on behalf of Government of any such pension, it can then be determined, at what rate the purchase shall be effected.

No. 420.

*From Captain H. R. James, Officiating Secretary to Chief Commissioner, Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, 2nd May* 1857.

REVENUE.

In continuation of my letter No. 197, dated the 3rd March last, I am directed to forward for your information and guidance, copy of a letter from the Secretary to the Government of India No. 1839, dated the 22nd ultimo, and its enclosed Resolution recorded by Government in the Financial Department, approving of the proposal of

the Bombay Government to commute hereditary and perpetual allowances within the limit specified in the Resolution of Government No. 584, of the 30th January last.

BENGAL SECRETARIAT LIBRARY

No. 1839.

CIRCULAR.

*From G. F. Edmonstone, Esquire, Secretary to the Government of India, to Sir John Lawrence, K. C. B., Chief Commissioner of the Punjab, dated Fort William, the 22nd of April 1857.*

Foreign Department.

In continuation of my letter dated the 13th February last, No. 743, I am directed to forward for your information and guidance, the accompanying copy of a Resolution of Government, in the Financial Department No. 1528, dated the 11th instant, approving of the proposal of the Bombay Government to commute hereditary and perpetual allowances within the limit specified in the Resolution of Government in that Department No. 584, dated the 30th January last.

No. 1528.

*Extract from the proceedings of the Right Honorable the Governor General of India in Council in the Financial Department, under date the 11th April 1857.*

Read the following papers on the subject of a commutation of Life Pensions :—

Financial Resolution No. 583, dated 30th January last. Endorsement from the Home Department No. 494, dated the 3rd instant, and its enclosure.

*Resolution.*—On the 30th January last, the Government having observed that life pensions not exceeding Rupees 12 and Rupees 20 per annum, are purchased by Government with the

consent of the pensioners, in the N. W. Provinces and the Punjab, respectively, by a present consolidated payment, ruled that the larger limit of 20 Rupees per annum should apply to *all* cases of life pensions payable by Government, under all the Presidencies and administrations in India.

With reference to this ruling, the Bombay Government now enquire whether the proposal to commute hereditary and perpetual allowances is approved by this Government.

The Right Honorable the Governor General in Council desires that the Bombay Government be informed, that the proposal to commute hereditary and perpetual allowances is approved within the limit specified in the resolution of this Government of the 30th January last.

*Order.*—Ordered that a copy of the above Resolution be sent to the Home Department of Bombay.

* Foreign Department.
† Bengal.
Fort St. George.
N. W. Provinces.
Eastern Settlements.
‡ Civil Auditor, Fort William.
Sub-Treasurer.

Ordered also, that a Copy of the Resolution be sent to the Department* Governments† and Officers‡ specified in the margin, in continuation of the Resolution from this Department, dated 30th January last.

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**CIRCULAR No. 38.**

*Dated the 16th May* 1857.

*To all Commissioners in the Punjab.*

REVENUE.

(ESTABLISHMENTS.)

Extra Establishments not to be entertained or continued without competent authority.

Adverting to a letter, No. 747, addressed on the 8th instant, by the Officiating Secretary to the Chief Commissioner to the Judicial Commissioner, (a copy of which has, I learn, been forwarded to you with Mr. Montgomery's Circular No. 38 of the 9th current), I have the honor to request a careful compliance

in connexion with this Department, on the part of yourself and District Officers ; with the orders therein contained, on the necessity of not entertaining or continuing any extra Establishments without competent authority.

2*nd.*—You should not accord the provisional sanction for six months which you are competent to give, for any such establishment likely to be kept on for an uncertain period, nor should it be given in any case of at all of a doubtful character, in which the matter can await report to higher authority, and if the urgency of the case does render it advisable for you to accord your sanction to the entertainment of the establishment at once, no time should be allowed to pass before soliciting authorization to the outlay, where it is likely to be required beyond the limited period at first stipulated for.

3*rd.*—The necessity of dispensing with the services of establishments at the end of the period they are allowed for, should, on all occasions be carefully borne in mind, and the Chief Commissioner's directions on this head be strictly followed.

No 747.

*From Captain R. H. James, Officiating Secretary to the Chief Commissioner, Punjab, to R. Montgomery, Esquire, Judicial Commissioner, Punjab, dated Lahore, 8th May 1857.*

(GENERAL.)

I am directed to request that you will point out, and impress on Commissioners of Divisions, and District Officers, the importance of incurring no expenditure for extra Establishments, without reference, unless it be emergent, and absolutely necessary ; when they do so every precaution must be taken to apply for the requisite authority without delay.

2*nd.*—Under the present rules, Commissioners are competent to sanction Establishments within certain limits, for a period

of 6 months; but it appears to the Chief Commissioner that, the principle under which this authority has been accorded is too often lost sight of. Several instances have come to his notice, when Commissioners have given such sanction, without taking any measures to ensure that the establishment be dispensed with, at the expiration of the term of 6 months; or that authority be obtained for its permanent entertainment, should such be deemed necessary. Thus Establishments nominally sanctioned for 6 months are retained for very extended periods; and consequently the Government are put to useless expenditure, while the proper checks are in effect evaded.

3*rd*.—In giving this authority to Commissioners, it was obviously intended to provide for emergencies of a temporary nature, and to prevent public inconvenience which would arise from the delay of a reference; when, therefore, Commissioners perceive that Establishments which they have sanctioned will, from their character, be permanently required, they should not wait until the expiry of 6 months, but at once report the circumstance, and solicit regular sanction. In this way the question will be disposed of, and permanent sanction accorded, or withheld, before the original term has expired.

4*th*.—Again, where the expenditure is clearly within a Commissioner's competency to sanction, but the necessity of the case is not absolutely emergent, or in other words, when no serious evil will follow from a little delay, while it is extremely doubtful whether permanent authority will be accorded; it is obviously his duty to withhold sanction, and refer the matter to superior authority. For it is in the nature of some establishments, if once allowed, to create a kind of need for their continuance.

5*th*.—The Honorable Court of Directors, and the Supreme Government, have more than once remarked on the tendency in the Punjab to add to establishments; and the Chief Com-

missioner has now received another despatch on the same subject. I am therefore to request that you will, through the Commissioners of Divisions, endeavour to avoid all expenditure, which is not absolutely essential for the public service. These Officers are expected to exercise a sound discretion, and to sanction nothing which is not actually necessary. The Chief Commissioner has had a case before him within the last few days, in which Government have been to an expense of some thousands of rupees, when not one rupee was really necessary.

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**CIRCULAR No. 43.**

*Dated 13th May 1857.*

*To all Commissioners except Lahore.*

REVENUE.
(MUSEUM.)
Reorganization of the Lahore Central Museum.

In continuation of my Circular letter No. 37, dated 26th April 1855, I have the honor to state that the Sub-Committee of the Lahore Literary Association therein referred to; has resigned its functions, in connexion with the Lahore Central Museum, and that Institution has, by the energetic efforts of Colonel Clarke and Mr. Brereton, in the first instance; and latterly of their successors; been reorganized under the auspices of the Deputy Commissioner of Lahore, and placed in a capacious building, which has been altered and improved, so as to adapt it admirably for the purposes of a Museum.

*2nd.*—Mr. R. Berkeley, Extra Assistant Commissioner, is in direct charge of the Museum, and all communications, connected with it, should be addressed to him. Considerable collections of various kinds have already been made; to which further additions are in progress, and I would invite, on behalf of the reorganized Institution, the assistance of all who have it in their power to contribute.

**CIRCULAR No. 44.**

*Dated 27th May*, 1857.

*To all Commissioners and Superintendents.*

REVENUE.

(TRANSFERS.)

Directions for keeping up a Record of transfers of Malgoozaree land effected for a pecuniary consideration.

As it is very desirable that a record be kept of all transfers of Malgoozaree land, effected for a pecuniary consideration, and that the results of such record be yearly reported, in a form calculated to show the value of land from time to time in each locality, I have the honor to annex, in English and Vernacular, Proceeding of this date, a Form of detailed Return, and of an Abstract of the same, which I request may be kept up in future.

*2nd.*—The detailed Form and Abstract will both be submitted by each Tehsildar in Vernacular, at the close of the year. The Abstracts only will be translated into English, and submitted by the Deputy Commissioner, in a combined form, for his whole District, with his yearly Revenue Report, accompanied by such remarks as may appear to him to be called for, and these Abstracts for all the Districts of your Division, will form in future a portion of the Returns accompanying your own yearly Report on the Revenue Administration submitted to this office.

*3rd.*—The keeping up of the Mouzáhwar Record, should be entrusted primarily to the Quanoongoes. All transfers effected by order of Court, will of course be recorded by them immediately on the issue of the order, while the Putwarees should be required, to report to them all transfers of a private character, as they occur, so that the record of transfers may at all times be complete and ready for being transcribed and abstracted at the close of the year.

*4th.*—In some Districts, it is probable, that a tolerably correct Record of such transfers, may have been heretofore kept up, and where this may have been the case, it will be well if the Deputy Commissioner, when submitting his Report for the current year 1857-58, furnish along with it, for comparison, an Abstract of the results shown by such previous Record.

*P. S.*—Copies of this letter and copies of Vernacular proceeding are forwarded herewith for circulation. The Press No. of the Abstract will be 117, and a copy of that Form has been supplied to the *Lahore Chronicle Press.*

# FORM OF DETAILED STATEMENT.

| Pergunnah. | Village. | Name of former owner. | Name of transferee. | Sale or transfer by order of Court | | Transfer by private agreement | | | | Remarks. |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Sale. | | Mortgage. | | |
| | | | | Amount of yearly rental. | Value realized by sale or decree. | Yearly rental. | Prices agreed on. | Yearly rental. | Amount for which mortgaged. | |
| | | | | | | | | | | |

# FORM OF ABSTRACT.

| District. | Pergunnah. | Sale or transfer by order of Court. | | | Transfers by private agreement. | | | | | | Remarks. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Sales. | | | Mortgages. | | | |
| | | Number of Cases. | Yearly Rental. | Value realized by sale or decree. | Number of Cases. | Yearly Rental. | Amount agreed on. | Number of cases. | Yearly Rental. | Amount for which mortgaged. | |
| | | | | | | | | | | | Note.—If any of the transfers should comprise entire villages, the number of such cases ought to be noted in this column for each Pergunnah. |

*Rev. Dept., Press No. 117.* *Financial Commissioner.*

**CIRCULAR No. 45.**

*Dated 29th May* 1857.

*To all Commissioners in the Punjab.*

REVENUE.

(TREASURY.)

Instructions for the safe custody of treasure at Tehsils, and the transmission of it therefrom to the Suddur Treasury.

I have the honor to state, that a theft of Rupees 460, has recently taken place, from a despatch of treasure under transmission from a Tehsil to the Suddur Station of one of the Districts of the Punjab, which occurrence has resulted from the circumstance, that the Treasure in question was not placed in a box under key—but merely packed into bags, and these loosely stowed into a canvass case, from which one of them appears to have been extracted en route.

2*nd*.—It further appears; that in the Tehsil in question, it has been heretofore the usage, to send in to the Suddur in the above mode, all despatches of treasure falling short of Rupees 3,000, and as it is possible, though I trust not probable, that a similar practice may exist elsewhere, I think it right that all District Officers be enjoined to take especial care, that it is on no account permitted.

3*rd*.—This lax mode of proceeding, in regard to a matter so important as the safe custody and conveyance of Treasure, is wholly opposed to the instruction conveyed in the late Board's Circular No. 2, dated 15th January 1853, and No. 59, dated 27th December 1852, and treasurers should accordingly be warned, that if they receive treasure, remitted to the Suddur in an irregular manner, without bringing the irregularity to the notice of the Officer in charge, they will be held responsible, for any loss which may accrue.

*4th.*—Assistants placed in charge of Treasuries, should also be required, from time to time, to satisfy themselves by personal inspection; that the despatches from the several Tehsils are sent in by the Tehsildars, in the manner, and with all the precautions prescribed, and should it be discovered, at any time, that irregularities habitually exist, blame will attach to them for not having had these brought to light, and corrected.

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**CIRCULAR No 65.**

*Dated 6th July* 1857.

*To all Commissioners except Trans-Sutlej States.*

REVENUE.

(JAGEERS.)

A successor to a perpetual Jageer allowed to redeem such real property, and proprietary right in the Jageer, as he may desire to retain, by paying for the same at a valuation, and within a period, fixed by arbitrators.

In continuation of my Circular No. 8, dated the 3rd February last, I have the honor to forward copy of my letter No. 233, dated 3rd instant, to the Officiating Secretary to the Chief Commissioner, with its annexures, and of his reply thereto No. 508, dated the 15th idem, from which you will perceive, that the Chief Commissioner has sanctioned a proposal made by me, to permit successors to perpetual Jageers to redeem such real property (buildings) and proprietary rights in the Jageer of their predecessor, as they may desire to retain, by paying for the same at a valuation, and within a period, to be fixed by arbitrators.

*2nd.*—I request, therefore, that you will issue directions for this rule being carried into effect, throughout your Division wherever there may be occasion for it, local Officers how-

ever exercising a discretion, as to rejecting such portion of any application made to them, as they may be of opinion, should not be complied with.

No. 255.

*From Financial Commissioner for the Punjab, to Officiating Secretary to the Chief Commissioner for the Punjab, dated Lahore, 3rd June* 1857.

I have the honor to submit for the consideration of the Chief Commissioner, copies of the correspondence noted in the margin; which has passed with reference to your letter No. 96, dated 26th January last, regarding permission for the heirs of Jageerdars, whose Jageers have been released in perpetuity, to succeed to their estates unencumbered.

REVENUE.

1.—Letter from Officiating Commissioner, Trans-Sutlej Division, No. 127, dated 13th ultimo, with enclosure.
2.—Letter No. 1875, dated 21st idem, addressed by me to Judicial Commissioner.
3.—Judicial Commissioner's reply, No. 1954, dated 27th idem.

*2nd.*—From this correspondence it will be seen, that in the opinion of the Judicial Commissioner and myself, these heirs should be further allowed the privilege, of redeeming real property appertaining to such estates, upon certain conditions which are specified therein.

No. 127.

*From Major Edward Lake, Officiating Commissioner and Superintendent Trans-Sutlej States, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Camp Nanee Tal, 13th May* 1857.

As I find that in this Cis-Sutlej Division, an interpretation has been put upon your Circular No. 8, dated 3rd February 1857, and itseen-

REVENUE.

closures, of which they do not appear to me susceptible, and the liability of Jageerdars for the debts of their predecessors is a subject on which no misunderstanding or diversity of procedure should be allowed to exist, I am induced to trouble you in the matter.

2*nd*.—The marginal quotation from Mr. Campbell's Circular No. 60, dated Amballah 26th February 1857, shows the construction which he has put upon the orders of the Government. To me on the other hand it appears that we can only specially legislate in the mode proposed for that portion of the Jageerdar's property which he derives from the indulgence and consideration of the Government. It is quite within the competency of the supreme power, (from which the tenure of a Jageer is held directly) to lay down the special rules by which its revenues shall not be diverted to wrongful purposes; because the revenue of every Jageer belongs in reality to the Government who have placed it in trust for the time being with certain classes. The lien of Government is not removed, it is only in abeyance, and it is universally acknowledged that any right the Jageerdar possesses must be derived from the will and pleasure of the ruling power. The terms however on which a Jageerdar holds his family mansion, the shops he has built upon his estate, and other buildings he has constructed thereon, are quite distinct. The Jageer revenues may be resumed, but

The words "proprietary right in any lands distinct from the Jageer" in the Government order might possibly admit of some doubt as to their construction, but the context in which such a contingency is alluded to as "not of probable occurrence" (where most Jageerdars have some proprietary right within their Jageers) makes it I think clear that the proviso alludes to land, a part from, and not within, the Jageer. All proprietary right to any part of the lands forming a part of the Jageer, which may be held by the Jageerdar, will be considered as pertaining to the Jageer, and will go to the holder of the Jageer for the time being. Similarly all houses and other buildings standing on the Jageer, which are in the nature of forts, mansions, houses, &c., and may be considered to appertain to the estate, as well as all buildings which have descended with the estate, will be considered part of the Jageer. Thus if a Jageerdar adds to his house upon his estate I do not think it can be touched by the creditors, or if a row of shops has descended to him from his predecessors as Nuzzool property, that also cannot be touched. But if a Jageerdar has himself acquired or built shops in a town apart from his place of residence, I think that there are cases in which such property will be available to creditors.

the mansion, the shops, the buildings, all remain with the Jageerdar. To exempt these from the ordinary processes of our Courts, will be to put a class beyond the reach of the law, and will be considered a dangerous interference with the rights and liabilities of private property.

3*rd*.—It is true that the Government order will become a dead letter unless the Jageerdar can save his family mansion from public sale, for so dear to him is the home of his fathers, and so great the disgrace of a general execution, that every Jageerdar would rather pay his father's debts ten times over than give up his house and family property ; to meet his objections on the one hand, and to leave no just cause of complaint to his creditors on the other, I would suggest the intermediate course of appraising the value of the houses used bonâ fide as places of residence, and leaving them with the Jageerdar on the condition that he would make good their value from the income of his Jageer. The humane reservations of the law which exempt the tools of the artizan, and the cattle of the agriculturist may fairly be extended to the family mansion of the Jageerdar, more particularly as by the arrangement I propose, the creditors will probably get more from the Jageerdar than they could obtain at public sale.

4*th* —My aim is to effect the same objects proposed by Mr. Campbell, but to do so without infringing the rights of private property in a mode against which not even creditors themselves can take exception.

No. 1875.

*From D. F. McLeod, Esq., Financial Commissioner for the Panjab, to R. Montgomery, Esq., Judicial Commissioner for the Punjab, dated Lahore, 21st May* 1857.

REVENUE.

In continuation of my docket No. 376, dated 3rd February last ; with enclosures on the subject of exempting the heirs of perpetual Jageerdars,

from liability for the debts of their predecessors, unless they accept the inheritance entire, and thus take the responsiblity upon themselves. I have the honor to annex a copy of a letter No. 127, dated 13th current, from the Officiating Commissioner of the Trans-Sutlej Division, and solicit your opinion in regard to it.

2*nd*.—The expression employed by me in the suggestion contained in the 3rd para. of my letter No. 440, dated 29th September 1856, to the address of the Secretary to the Chief Commissioner; was that in the event of an heir wishing to receive the Jageer unencumbered, he should be required to " refrain from appropriating any of his (predecessors) real or personal estate; apart from the Jageer, " and as the Government have sanctioned the proposition contained in this para. it may be assumed, that they accede to the above terms.

3*rd*.—Mr. Campbell; in the interpretation which he has put upon my letter and the orders of Government, has certainly exceeded what I had intended, and I think he has exceeded likewise, the extent of privilege which Government purposed to convey. But as it would in my opinion be inappropriate and render in a great measure nugatory, the privilege which has been conferred; if every individual, succeeding to an encumbered Jageer, were compelled at once to surrender all proprietary rights in it, and to vacate all dwelling houses and buildings standing upon it, it seems to me that some supplementary rule is required on this point.

4*th*.—Major Lake proposes that the heir succeeding to the Jageer, be allowed to retain the houses situated upon it, which are bonâ fide used as places of residence, on his consenting to make good their appraised value, from the proceeds of the Jageer. This suggestion appears to me to be a judicious one, and I would advocate its adoption. But I should be disposed to extend the same principle even further. Seeing that it inflicts no

injury, as it appears to me upon the creditors, while it is in a great measure essential, to the maintaining the completeness of the privilege extended to the Jageerdar.

*5th.*—Where the Jageerdar is proprietor, as well as rent-free holder of his Jageer lands, it is, I think, on many accounts of great importance, that he be allowed an opportunity of maintaining this status, as well as of preventing the alienation of any real property, (as houses, &c.,) which may exist upon the land, and was owned by his predecessor, provided these be of a character, which renders them very essential for the maintenance of his status.

*6th.*—What I would recommend therefore, is that on the succession of an heir to a perpetual Jageer, in the event of his desiring to be exempt from liability for his predecessor's debts, he be required to state, what real property or proprietary rights in the Jageer he would wish to redeem, and that in the event of the local authorities considering the whole, or any portion of such property, to fall within the above category; they shall have it equitably appraised, and fix the period within which its value shall be paid.

*7th.*—On the Jageerdars acceding to the terms thus determined on he should be allowed to retain possession, and in the event of the amount due from him, not being liquidated by the period fixed. It should then be recovered by sale any deficit hence resulting, being further made up by appropriating a portion of the proceeds of his Jageer.

No. 1954.

*From R. Montgomery, Esquire, Judicial Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, 27th May* 1857.

Judicial. (Civil.)

I have the honor to acknowledge the receipt of your letter No. 1875, dated 21st instant, requesting my opinion on the interpretation put by the late Commissioner of the Cis-Sutlej States, on the Circular

instructions issued by you relative to the heirs of perpetual Jageerdârs being exempted from liability for the debts of their predecessors on certain conditions, and expressing your views thereon, and in reply to inform you that my opinion on the subject entirely coincides with yours.

No. 508.

*From Captain H. R. James, Officiating Secretary to the Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, the 15th June, 1857.*

REVENUE.

I am directed by the Chief Commissioner to acknowledge the receipt of your letter No. 255, dated 3rd current, with enclosures, and in reply to state, that he agrees to your proposal, that the heirs to Jageers who decline liability for the debts of their predecessors, and therefore do not inherit any of the personal estate, be allowed to redeem any of the real property they may wish to retain, at a fair valuation. You are accordingly requested to lay down the rule and have it promulgated.

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**CIRCULAR No. 71.**

*To all Commissioners.*

*Dated 18th July 1857.*

REVENUE.

(ESTABLISHMENTS.)

Further directions respecting the preparation of the two monthly statements of decreases in Establishments.

In continuation of my Circular No. 4, dated 21st January, and No. 12, dated 23rd February last, I have the honor to forward copy of a Resolution by the Governor-General in Council No. 2,243, dated 29th May, 1857, (received with letter No. 1,096, dated 19th current, from the Officiating Secretary to the Chief Commissioner,) and request yourself and

Subordinate Officers will conform to the instructions therein conveyed, regarding the preparation of the two monthly Statement of decrease in establishments sanctioned by Government.

*Extract from a Resolution in the Financial Department, dated 29th May 1857, No. 2,243.*

Para. *9th.*—His Lordship in Council also observes that the *increase* to establishments need not be shewn in the statements called for under the Resolution of the 19th December last, as all increases must receive the sanction of the Supreme Government and, therefore will, as a matter of course, be reported to the Home authorities by the Financial Department, in the Tabular Statements prepared from its own Register, nor should the date of Government orders sanctioning *permanent* charges which may be exhibited as a decrease, be entered in the statements submitted by the Local Government, but only the dates of the original sanction for *temporary* establishments, decreased or discontinued.

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**CIRCULAR No. 74.**

*Dated 22nd July 1857.*

REVENUE.

(PENSIONS)

**Pensions granted in lieu of lapsed or resumed Jagheers commence from 1st March, or 1st September, according as the proceeds of the last rubbee or khurreef harvest, may have been appropriated by the deceased holder or his family.**

Ordered that copies of the following be forwarded to all Commissioners for their information and guidance.

No. 183.

*From D. F. McLeod, Esq., Financial Commissioner, to Captain H. R. James, Officiating Secretary to Chief Commissioner, Lahore, 16th April, 1857.*

I have the honor to submit, for the consideration of the Chief Commissioner, the following circumstances connected with pensions granted in lieu of Jageers which have lapsed or have been resumed.

2*nd*.—By a Circular letter No. 7, dated 27th March 1851, (of which, for facility of reference, a copy is annexed,) the late Board of Administration directed, that all such pensions should commence after the close of the collections of the last harvest, the proceeds of which had been enjoyed by the Jageerdar, i. e., from the 1st March, where the last harvest appropriated has been the khurreef, and from the 1st September, where it has been the rubbee.

3*rd*.—By the Resolution of Government, however, No 843, dated 21st February 1856, received with your docket No. 200, dated 18th March, 1856, no express mention is made of this class of pensions, and in consequence, as recently intimated by me*; the Audit Office refuses to pass pensions of this description, for any period previous to the date of the order of Government granting them; unless express mention be made, of the date from which each pension is to commence.

* See my letter No. 133, dated 17th ultimo, in the case of Pension to the heirs of Jit Singh, Bedi.

4*th*.—This may no doubt be met by invariably entering in the order granting pension, the date, from which payment shall commence. But as this may occasionally be omitted, the necessity for further reference is likely to arise; and as it may be presumed, that it was not the intention of Government, in the above Resolution, to disallow the rule laid down by the Board, in the annexed Circular, and pensions falling under the above

category, are essentially peculiar, the Chief Commissioner, may perhaps think it advisable, to solicit the express sanction of Government, for the continuance of the rule in question, as respects them.

No. 574.

*From A. Brandreth, Esquire, Officiating Secretary to Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner, Lahore, 18th July 1857.*

REVENUE.

In reply to your letter No. 183, of the 18th April, proposing that pensions in lieu of Jageers resumed should commence at once after the last harvest, of which the Jageerdar obtained the proceeds, viz. from the 1st March, if confiscated after the khurreef harvest, and from the 1st September, if after the rubbee, according to the rule laid down by the late Board of Administration, in their Circular No. 7 of the 27th March 1851, I am directed by the Chief Commissioner to forward a copy of a letter No. 2650, dated 25th June, from the Secretary to Government Foreign Department, sanctioning the continuance of the rule, subject to the proper carrying out of the other provisions of the Circular that the Revenue Officers should take great care not to omit taking possession of any resumed Jageer from the harvest when confiscated.

No. 2650.

*From G. F. Edmonstone, Esquire, Secretary to Government of India, to Sir J. Lawrence, K. C. B., Chief Commissioner, Fort William, 25th June 1857.*

FOREIGN DEPARTMENT.

Your Officiating Secretary's letter, dated 23rd April last, No. 314, and its enclosures, recommending that the rules laid down by the late Board of Administration in the 2nd para. of their Circular letter, dated 27th March 1851. No. 7, in regard to the date from which pensions

granted in lieu of Jageers should have effect, may be allowed to remain in force, having been referred to the Financial Department, I have now the honor to inform you that, the Governor General in Council has been pleased, in that department, to accede to your recommendation, on the understanding, that the other conditions prescribed in the Circular letter in question continue to be in force.

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**CIRCULAR No. 80.**

*Dated 4th August* 1857.

*To all Commissioners.*

REVENUE.

(ESTABLISHMENTS.)

Instructions for reducing the number of Hindoostanees employed as Burkundazes in the Revenue and Salt Departments.

I have the honor to forward copy of a letter No. 267 of the 22nd current, from the Officiating Secretary to the Chief Commissioner, with para. 2 of his communication to the address of the Judicial Commissioner alluded to, and request that the instructions therein conveyed, relative to reducing, to the utmost practicable extent, the number of Hindoostanees employed as Burkundazes in the Tahseel and Salt Establishments, and other branches, of the Revenue Department, may be vigorously acted on throughout your Divisions.

2*nd*.—I also request you will furnish me, as soon as possible, with a report on the number of Punjabee and Hindoostanee Chupprassees, Duffadars, Jemadars, &c. respectively, in each Tahseel in your Divisions.

No. 267.

*From A. Brandreth, Esquire, Officiating Secretary to Chief Commissioner, to D. F. McLeod, Esquire, Financial Commissioner, Lahore, dated 22nd July* 1857.

JUDICIAL.

I am directed by the Chief Commissioner to forward a copy of his remarks on the Judicial Commissioner, printed Circular No. 69, again prohibiting the employment of Hindoostanees in the lower ranks of the Police, and to request your special attention to the matter as their number is far greater in the Tahseels than in any other places.

2*nd*.—The small pay of a Burkundaz, (Rupees 5) is hardly sufficient temptation for a respectable Hindoostanee to take service at such a distance, but as a Tahseel Chupprassee, his profits are so much larger, that numbers of them eagerly seek employment there. All the time he is out collecting the kists he is entitled to be fed free, and his power is necessarily so great to enable him to collect the money rapidly, that there are few villages where his profits are limited to his mere food. Again, Lumburdars in the Tahseel Havalat are willing to borrow from them at any terms to get out, and 2 annas per rupee per mensem have been known to be paid for this temporary accommodation. A Punjabee of the district is too well known to be able to practice extortion so successfully, and therefore it seems more desirable to lessen the number of Hindoostanees in the Tahseels even than in the Thanahs.

3*rd*.—There will only then remain the personal Chupprassies of the District Officers. The Punjabees having got a name for slowness and awkwardness, few officers would like to have other than Hindoostanee Chupprassies, and as they are most of them old servants, they can remain for the present. Deputy Commissioners should however be urged, for their own sakes, to mix a good many Punjabees among them, both

as a defence in case of a disturbance, and as far more reliable in obtaining real news of mutinous sepoys. Almost all the servants or Chupprassies who have been plundering were Hindoostanees. A Punjabee's home is too near for him to be able to plunder with impunity.

*Extract para. 2 of a letter No. 266, dated 22nd July, from Secy. to Chief Commissioner, to Judicial Commissioner.*

*2nd.*—I am also directed to inform you that the Chief Commissioner fully concurs with you in the necessity of employing few, or no Hindoostanees in the Police Force. He has however reason to believe that except in Cantonments, where most of the Police are Hindoostanees, and perhaps in the Tahseels, but few will be found among the lower ranks of the Police. Long ago, in the Board's time, a Circular Order No. 3 of 12th February 1851, was issued, prohibiting any general entertainment of Hindoostanees. But it is clear that this order has not been properly carried out, nor have the Commissioners sufficiently insisted on this point, when they inspected the District Police. Commissioners are bound to look after District Officers, and make them carry out orders, and report them for contumacy if they do not do so.

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## CIRCULAR No. 86.

*Dated 22nd August 1857.*

*To all Commissioners in the Punjab, except Peshawur.*

I have the honor to forward copy of a letter No. 1201 of the 15th current, from the Officiating Secretary to the Chief Commissioner, and with reference thereto, request that all reductions temporarily effected in the permanent establishments, or decreases made in Settlement Establishments only, during the present state of public disorder, be not included in the two monthly statement furnished to this

REVENUE.

(ESTABLISHMENTS)

Directs that Establishments once struck off in the two monthly Statements of decreases be not re-entertained without the sanction of Government.

Office Also that establishments once entered in that Statement as struck off, be not re-entertained without the sanction of Government being obtained thereto.

No. 1201.

*From A. Brandreth, Esquire, Officiating Secretary to the Chief Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, the 15th August 1857.*

GENERAL

I am directed by the Chief Commissioner to acknowledge the receipt of your letter No. 354, dated 11th instant, explaining that the reported decrease in the Kohat Salt Mines, was only a temporary reduction caused by some vacancies in the Office, and in reply to inform you that such temporary reductions should not be entered in the bi-monthly return.

2*nd.*—Properly speaking, all establishments entered as struck off in this table cannot be re-entertained without the formal sanction of Government. This reduction will now probably be reported to the Hon'ble Court as a permanent decrease, while it is being drawn for regularly all the time.

3*rd.*—For the same reason the present reductions in the Settlement Departments should not be entered in this table, if they are only struck off during the present scarcity of funds, with intention of their being again employed when the disturbances are over. This should be especially attended to, in the return to be submitted at the end of the present month.

## CIRCULAR No. 87.

*Dated the 25th August* 1857.

*To all Commissioners.*

In continuation of my Circular * No. 86, dated 21st current, I have the honor to forward copy of a letter No. 1222 of the 19th idem, from the Officiating Secretary to the Chief Commissioner, and with reference thereto, request that all reductions caused by transfers from one Department to another may not in future be entered in the two monthly statement of decreases, except where a *permanent* saving results from such transfer.

* To Peshawur Letter No. 2895.

REVENUE.

(Establishments)

Transfers from one Dept. to another not to be entered in two monthly decreases of Establishments but only *permanent* savings.

No. 1222.

*From A. Brandreth Esq., Offg. Secretary to the Chief Commissioner, to D. F. McLeod, Esq., Financial Commissioner dated* 19*th August* 1857.

The statement of reductions in establishments for May and June 1857, contained several entries which were mere transfers of Officers from one Department to another. These should not be reported as reductions, as no saving is thereby effected. They may be mentioned in a foot note, for information merely.

General Department.

2*nd*.—When, however, a saving is effected by the transfer of an individual (as for instance when a Superintendent is made a Tehseeldar) that saving should of course be entered, as it is a real permanent reduction, unless it is intended to re-employ the individual again as a Superintendent at some future time.

## CIRCULAR No. 92.

*Dated 7th September* 1857.

*To all Commissioners in the Punjab.*

REVENUE (APPEALS.)

Appeals from orders of Native Extra Assistants passed since 1st July 1857, to lie in the first instance to Deputy Commissioners.

I have the honor to forward copy of a letter No. 308, dated 22nd current, from the Officiating Secretary to the Chief Commissioner, and with reference thereto, request that you will inform the Deputy Commissioners of your Division that appeals from the orders of all Native Extra Assistants in their respective Districts passed since the 1st July last, are to lie to them, and not you, in the first instance.

No. 308.

*From A. Brandreth, Esquire, Officiating Secretary to Chief Commissioner for the Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated the 2nd September* 1857.

JUDICIAL.

I am directed by the Chief Commissioner to inform you, that he considers it expedient that for the present and until further orders, appeals from the orders of all Native Extra Assistants should lie in the first instance to the Deputy Commissioners of Districts, and not to Commissioners, whether an Extra Assistant has passed the usual examinations or not. You are accordingly directed to issue the necessary orders. This rule to have effect from 1st of July 1857.

## CIRCULAR No. 101.

*Dated 10th October*, 1857.

*To Deputy Commissioners of Flax-growing Districts.*

I have the honor to annex in the margin an extract from letter addressed to me by a gentleman engaged in agricultural and mercantile pursuits in the Punjab, from which I am led to gather, that in spite of the exertions of District Officers to scure all the linseed which cultivators were willing to dispose of to Government, so long as purchases on behalf of Government were authorized, a considerable quantity of the linseed then produced, in parts of the country whence the article has not heretofore been one of ordinary export, may still remain on the hands of the producers, owing to ignorance on their part as to the course to be pursued for getting rid of it.

REVENUE.

(LINSEED.)

Points out that there is a great demand for linseed, and that cultivators can dispose of their produce.

"I sent to several villages, and was not a little surprised to find that at——they had a supply of seed (linseed) of the year 1856 *on the stem*; and I was told, on expressing astonishment at the fact, that when they took their produce to the Tuhseel, the Tuhseeldar refused to receive it, because the stem was too short, but he never told them that the Government would purchase the seed. It was the shortest way of getting rid of a troublesome duty."

"It appears that the——men, though they have hitherto carefully preserved this produce, were about to throw it away when my man arrived, and that other villages have actually thrown theirs away, seed and all."

*2nd.*—It further appears probable that the dealers of the Punjab are not as yet fully aware of the great and steady demand for the article, which has arisen, at a comparatively recent period, in the Karrâchi and Bombay markets, with a view to export to Europe; and I accordingly subjoin an Extract para. 3 from a letter, dated 28th ultimo, addressed to me by Messrs. McIver, Donolly & Co., of Karrâchi, the purport of which I suggest that you have communicated to the trading community of your district, as some of them may be thus induced to make

search for the article, and forward it to Mûltân or Karrâchi, the merchants of which places, or at all events of the latter, will, I believe, gladly engage to purchase, at remunerative prices, any quantity that can be supplied to them.

*EXTRACT para. 3 of a letter, dated 28th September, 1857, from Messrs. McIver, Donolly and Co., Merchants, Karâchi, to the Financial Commissioner.*

We feel utterly at a loss to account for the cause of discouragement urged by the cultivators—for we can scarcely imagine it to be an insufficient demand—as we know the demand to be very considerable—and at this moment we ourselves have orders for linseed, which we are unable to execute on account of the short supply. We can only suggest the possibility of the dealers being ignorant of the outlet that exists here, and their unwillingness, therefore, to speculate in the article, or that the cost of production and the expenses of transport, are greater than current prices would repay. At the present time a fair quantity of good clean seed would find a ready sale here at Rupees 3-4 and 3-8 per maund, exclusive of packing.

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**CIRCULAR No 106.**

*Dated 26th October 1857.*

*To All Commissioners and Revenue Surveyors.*

REVENUE.

(BILLS.)

Points out advisability of all bills after being countersigned in Financial Commissioner's Office, being forwarded direct to Civil Auditor, and directs submission of a memorandum with bill.

I have the honor to inform you, that as the Auditor's Office is now established at Lahore, it is in my opinion desirable, as saving time and postage, that in future all bills countersigned in this Office be forwarded direct to the Civil Auditor, for audit, instead of being returned to you.

I request, accordingly, that if you see no objection to this arrangement, you will submit a memorandum in the annexed form, with the bill, or bills, forwarded with each letter or docket, which memorandum will be returned to you, filled up with date and amount of countersignature.

*Memorandum of Bills countersigned by Financial Commissioner and forwarded to Civil Auditor.*

| Description of Bill. | Amount of Bill. | Date of submission to Financial Commissioner. | Amount passed by Financial Commissioner. | On what date forwarded to Civil Auditor by Financial Commissioner. |
|---|---|---|---|---|
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**CIRCULAR No. 110.**

*Dated the 21st November 1857.*

*To all Commissioners,*

REVENUE.

(TENTS.)

All applications for purchase of tents to be invariably submitted through Financial Commissioner.

I have the honor to subjoin an Extract of a letter from the Officiating Secretary to the Chief Commissioner No. 1611, dated 13th current, and with reference thereto; request that all applications for the purchase of new Tents, by yourself or District Officers may be invariably submitted to the Chief Commissioner through this office.

*Extract.*

"The Chief Commissioner sanctions this application for Tents "———" but requests that the attention of Commissioners may be drawn to the Circular of this office, dated 2nd July last, No. 21, which requires that such Indents shall be transmitted to you."

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**CIRCULAR No. 114.**

*Dated 7th December 1857.*

*To all Commissioners.*

REVENUE.

(ESTABLISHMENTS.)

Instructions connected with preparation of two monthly Statement of decreases of establishments.

In continuation of the Circulars of this Office, noted in the margin,* I have the honor to forward copy of a letter, No. 1,664, dated 24th ultimo, from the Officiating Secretary to the Chief Commissioner, with its annexure, and request that yourself and all subordinate Officers will be guided by the remarks therein made; in the preparation of your future two-monthly statements of Decreases of Establishments.

* No. 86, dated 22nd August, 1857.
No. 87, dated 25th ditto.

2.—Printed copies of this Circular accompany for distribution in your Division.

No. 1,664.

*From Lieutenant E. H. Paske, Officiating Secretary to the Chief Commissioner, Punjab, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, the 24th November*, 1857.

GENERAL.

I am directed by the Chief Commissioner to forward extract paragraphs 2 to 5 of a letter from the Civil Auditor, Punjab, No. 643, dated 14th instant, commenting on certain inaccuracies in the periodical returns of decreases effected in establishments submitted from your office, under Government resolution of the 19th December last, and pointing out how they should be prepared, and to request that you will be guided by the principles therein enunciated, in the preparation of similar documents in future.

2.—The necessary instructions should be issued to subordinate Officers.

*Extract of a letter, No.* 643, *from Civil Auditor, Punjab, to Officiating Secretary to Chief Commissioner, Punjab, dated* 14*th November*, 1857, *paragraphs* 2 *to* 5.

2.—"It seems unnecessary to notice the several discrepancies in detail, and I shall, therefore, briefly explain the general causes to which they are attributable."

3.—"In some of the returns already submitted, *mere transfers* of Officers and Establishments, from one department or district to another, have been exhibited, although in reality no decrease whatever has taken place (excepting in the transfering office); for the charge still continues in the office to which transferred. Such entries are not, in my opinion, intended to be shewn in the Return under review, which I

look upon as a statement of *bonâ fide* permanent decreases accruing to the State, and not merely one of nominal reductions in particular departments. I have, therefore, excluded them from the revised Returns."

4.—"Another source of difference, is the erroneous exhibition in the local returns, of reductions, which are shewn in the books of this office, only as savings from pay of establishments, and the vacancies on account of which may at any time be filled up by the officer in charge. In all cases of this kind, if the reduction be a permanent one, a report on the subject should be submitted, through the usual channel, and sanction obtained to expunge the amount from the fixed schedule, before including it in the Return of Decreases Temporary vacancies, liable to be filled up again, should never be so included. I have written to certain officers whose abstracts exhibit a considerable saving every month, and in the event of any of the reductions being of a permanent nature, steps will be taken to have them excluded from the authorized scale, and in due course entered in the decrease statement. But while any doubt exists about them, they should be omitted therefrom."

5.—"As regards the reductions in the Settlement Department, it is questionable, I think, whether they should appear at all in this return, because I conclude the saving is only for the time being, and the reduced establishment will be employed again, as soon as the Settlement operations recommence. As, however, in some instances, regular reports have been submitted, and the Chief Commissioner's sanction obtained, to the revision and reduction effected, and the Settlement Officers have excluded the amount of such reduction from their Pay Abstracts, I have allowed the items to stand in the revised returns. I have also entered reductions on account of establishments discharged owing to transfers of Assistants and Extra Assistants from settlement to district duty."

## CIRCULAR No. 116.

*Dated 10th December, 1857.*

*To all Commissioners.*

REVENUE. (EDUCATION.) Mode of paying Village School Teachers.

I have the honor to annex an extract paras. 9 to 13, of a letter addressed on the 8th September last, by the Director of Public Instruction, to all Deputy Commissioners, on the subject of the mode of paying Village School Teachers.

*2nd.*—The arrangements therein proposed, have been generally approved. They appear well adapted for securing the object in view, and I request accordingly; that you will intimate to the District Officers of your Division, that the course pointed out in the accompanying extract, is to be followed for the future.

*Extract paras. 9 to 13, from a Circular No. 23, dated 8th September 1857, addressed by the Director of Public Instruction, to all Deputy Commissioners.*

9.—"Lieutenant Paske, Inspector of Schools, 1st Circle, has proposed the following arrangement which seems to me well calculated to meet the requirements of the case."

10.—"He proposes that on the passed Village School Bill, being received back from audit by the Deputy Commissioner; that Officer shall send for the Sub-Deputy Inspector of the District."

11.—"That the Sub-Deputy Inspector shall submit to the Deputy Commissioner, in *duplicate*, a separate Vernacular bill for *each Tehsil*, as he has received it back from his Inspector, and therefore tallying exactly with the English bill which has been passed by the Civil Auditor."

12.—" That the Sub-Deputy Inspector shall submit, with these duplicate Vernacular bills, a statement, also in duplicate, of deductions such as frequently occur by the death, removal, or absconding of teachers, after the monthly bill has been disposed of, and shewing the actual total amount payable in each Tehsil."

13.—" That the Deputy Commissioner shall then send both copies of the Vernacular bill, together with both copies of the statement of deductions, to the Tehsildar of each Tehsil, with his own order, desiring the Tehsildar to send for all the teachers, to pay them the amount set against their names, to take their seal or signature in the column left for the purpose *in both bills*, and then to return both bills to the Deputy Commissioner, who shall keep one in his own office, and forward the other with the statement of deductions attached thereto to the Inspector of Schools."

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## CIRCULAR No. 120.

*Dated 30th December 1857.*

*To all Commissioners and Superintendents in the Punjab.*

REVENUE.

(LAND.)

Respecting power of hereditary cultivators to underlet their lands or make other arrangements for its cultivation.

As diversities of practice appear to exist, in respect to permitting hereditary cultivators to underlet, or make other arrangement for the management of lands occupied by them, I annex, for guidance, copies of the correspondence noted in the margin, * which has passed on the subject.

* 1.—Letter to my address from the Commissioner C.-S. States, No. 299, dated 23rd current.
2.—My reply, No. 4,222, dated 29th ditto.

*2nd.*—In my Circular letter No. 57, dated 14th October, 1856, I intimated that underletting was allowable in the case of hereditary cultivators,

and I apprehend that so long as these retain their lien upon the land, which they hold the right to cultivate, there can be no doubt, that they are at liberty to make any arrangements they please for its management, provided they are not such, as can be shown to be absolutely detrimental to the interests of the proprietor.

## No. 299.

*From G. C. Barnes, Esquire, Commissioner and Superintendent Cis-Sutlej States, to D. F. McLeod, Esquire, Financial Commissioner for the Punjab, dated Lahore, the 23rd December,* 1857.

I find that difference of opinions exist, as to the right of hereditary cultivators to provide temporarily for the tillage of their lands, either by associating with themselves a stranger as cultivator, or by making over the entire cultivation for a time to others, on responsibility of the hereditary occupant.

*2nd.*—These tenures are very common about Umballa, and the proprietor is ready to avail himself of any supposed breach of tenure. Accordingly, I find that, by the District authorities, an hereditary cultivator is supposed to be bound to cultivate his land with his own hand, and by his own resources ; and failure in these conditions, is held to be a breach of tenure, authorizing the reversion of the land to the proprietor.

*3rd.*—Such terms appear to me to be unjust, and opposed to the spirit of the tenure. An hereditary cultivator cannot dig a well, nor plant a grove, nor locate a labourer on the land, nor permanently alienate his tenure, without the consent of the proprietor. But supposing he is temporarily reduced to distress, and has friends and relatives willing to assist him, or supposing that he is anxious to make a distant pilgrimage. In such case I think he is at liberty, after giving security to the proprietor, for the punctual liquidation of the rents and fees due upon the land, to avail himself of the assistance of his friends and relations ; and to

temporarily make over his land to them, either in whole, or in part, for culture. In Clause 128 of the Directions to Settlement Officers, page 67, it is laid down, by the highest authority we have on revenue practice, after enumerating his disabilities, that the "simple right of a hereditary cultivator, is to till the land himself, or to *provide for the tillage.*"

*4th.*—And such is the literal construction I would put upon the tenure of an hereditary cultivator. Without such latitude, an hereditary cultivator becomes the slave of the soil, unable to leave his land for a single harvest, without forfeiting his tenure, which perhaps has descended to him, from a date as old as that by which the proprietor wishes to assert his own claim.

No. 4,222.

*From D. F. McLeod, Esq., Financial Commissioner for the Punjab, to G. C. Barnes, Esq., Commissioner and Superintendent Cis-Sutlej States, dated the 29th December, 1857.*

REVENUE.

In reply to your letter No. 299, dated 23rd current, I have the honor to state, that I concur with you, in the opinion, that an hereditary cultivator, though not, as a general rule, at liberty to alienate his right of cultivation, has a perfect right to make any temporary arrangements he may think fit, or find necessary, for the management of his land.

*2nd.*—The Directions to Collectors, as observed by you, expressly recognize this right, and the rule there laid down for the North-Western Provinces, is equally applicable here. A proprietor has no power to oust his hereditary tenant, so long as he pays, or causes to be paid; the rent demandable from him; and where it is alleged that he has himself vacated the land by alienation, the *onus probandi* must rest with the zemindar.